

TWENTY-EIGHTH DAY

(Wednesday, February 26, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Fitzgerald
Allen	Fuchs
Allison	Gandy
Alsup	Garland
Anderson	Gilmer
Avant	Goodman
Bailey	Halsey
Baker	Hanna
Bean	Hardeman
Bell	Hargis
Benton	Harris of Hill
Blankenship	Hartzog
Boone	Heflin
Brawner	Helpinstill
Bray	Henderson
Bridgers	Hileman
Brown	Hobbs
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Celaya	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kersey
Coker	Kinard
Colson, Mrs.	King
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwait	Lehman
Daniel	Leyendecker
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Dickson of Nolan	Lowry
Donald	Lucas
Dove	Lyle
Duckett	McAlister
Dwyer	McCann
Ellis	McDonald
Eubank	McGlasson
Evans	McLellan
Favors	McMurry
Ferguson	McNamara
Files	Manford

Manning	Senterfitt
Markle	Sharpe
Matthews	Shell
Mills	Simpson
Montgomery	Skiles
Moore	Smith of Bastrop
Morgan	Smith of Atascosa
Morris	Spacek
Morse	Spangler
Murray	Stanford
Nicholson	Stinson
Pace	Stubbs
Parker	Taylor
Pevehouse	Thornton
Phillips	Turner
Price	Vale
Rampy	Voigt
Reed of Bowie	Walters
Reed of Dallas	Wattner
Ridgeway	Weatherford
Roark	White
Roberts	Whitesides
Rhodes	Winfree
Sallas	

Absent—Excused

Harris of Dallas	Martin
Howard	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Lord, Thou art the everlasting God, and we are the creatures of Thy hand. Humbly we feel that at our best we are weak and erring in Thy sight. We are encouraged by Thy word and Thy blessings unto our State and our land to pray for Thy special providence, and for divine leadership as we search for right ways and for fruitful fields. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of illness:

Mr. Martin for today on motion of Mr. McGlasson.

Mr. Howard for today on motion of Mr. Stinson.

Mr. Harris of Dallas for today on account of important business on motion of Mr. Morse.

COMMUNICATION

The Speaker laid before the House, and had read, the following communication:

Carrizo Springs, Texas.
February 25th, 1941.

Honorable Magus Smith,

Dear Magus: I cannot express in words my gratitude and appreciation of your thoughtfulness of the Resolution recently passed by the House, in memory of Dutch. It is something that I shall always keep and it makes us feel that we want to work harder and do our jobs better in the service of our great State and country.

Please convey to all the House my appreciation.

Your friend,

A. J. KNAGGS, Sheriff.
Dimmit County, Texas.

HOUSE BILLS ON FIRST READING

The following House Bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Kinard:

H. B. No. 486, A bill to be entitled "An Act providing for the registration and protection of the official insignia or label of any union or association; describing offenses and prescribing the punishment therefor; and declaring an emergency."

Referred to the Committee on Labor.

By Mr. Lowry:

H. B. No. 487, A bill to be entitled "An Act amending Section 12 of Article 8307, Revised Civil Statutes of Texas, 1925, providing that due notice of injury and claim for compensation shall be filed prior to approval of compromise settlement; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Lowry:

H. B. No. 488, A bill to be entitled "An Act amending Article 8306, Section 9, of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 178, Acts of the 42nd Legislature of Texas, 1931, so as to provide for the payment of reasonable funeral expenses not exceeding Two Hundred

and Fifty Dollars (\$250.00), repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Lucas:

H. B. No. 489, A bill to be entitled "An Act providing that in counties having a population of not less than Thirty-one Thousand, Five Hundred (31,500), and not more than Thirty-two Thousand (32,000), according to the last preceding Federal Census, the provisions of Article 6869, Revised Civil Statutes of Texas, of 1925, as amended, insofar as such limits the number of deputies allowable to sheriffs shall not apply, but the sheriff in any such county shall have the number of deputies allowed him by the Commissioners' Court of such county, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Bray:

H. B. No. 490, A bill to be entitled "An Act prohibiting the restriction of the daily average production of oil wells in this State below certain amounts, classified according to the producing depths of such wells, and declaring an emergency."

Referred to the Committee on Oil, Gas and Mining.

By Mr. Heflin and Mr. Hardeman:

H. B. No. 491, A bill to be entitled "An Act amending Subsection (e) of Section 25 of House Bill No. 77, Acts, Forty-fourth Legislature, Second Called Session, Chapter 467, page 765, as amended by House Bill No. 5, Acts, Forty-fifth Legislature, Regular Session, Section 33, Chapter 447, page 1052, as amended in 1937 by Senate Bill No. 20, Section 10, Chapter 13, page 1760, of the Acts of the First Called Session of the Forty-fifth Legislature changing the distance and method of measurement thereof so that the Commissioners Court of any county in the territory thereof outside incorporated cities and towns and the governing authorities of any city or town within the corporate limits of any such city

or town may prohibit the sale of alcoholic beverages by any dealer where the place of business of any such dealer is within five hundred (500) feet of any church, public school or public hospital, the measurements to be from the point on the property line of the real estate occupied by the place of business offering for sale alcoholic beverages nearest the church, public school, or public hospital concerned, to the nearest point thereto on the property line of the real estate occupied by said church, public school, or public hospital by the shortest distance between said two points; and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Blankenship:

H. B. No. 492, A bill to be entitled "An Act repealing Articles 1322 and 1323 of the Penal Code of the State of Texas, Revision of 1925; prohibiting the wilful and malicious burning, or aiding or abetting or assisting or advising or encouraging in the burning, by any person of any insured personal property owned by himself, or of any personal property belonging to another, of a value exceeding twenty-five dollars (\$25.00); prescribing a penalty for the violation of the provisions of this Act; prohibiting the wilful and malicious burning, or aiding or abetting or assisting or advising or encouraging in the burning, by any person of any insured personal property belonging to another of a value exceeding twenty-five dollars (\$25.00); prescribing a penalty for violation of the provisions of this Act; prohibiting the wilful and malicious burning, or aiding or abetting or assisting or advising or encouraging in the burning, by any person of any insured personal property owned by himself of a value of less than twenty-five dollars (\$25.00); prescribing a penalty for violation of the provisions of this Act; prohibiting the wilful and malicious burning, or aiding or abetting or assisting or advising or encouraging in the burning, by any person of any personal property belonging to another, the value of which property is less than twenty-five dollars (\$25.00); prescribing a penalty for

violation of the provisions of this Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Clark:

H. B. No. 493, A bill to be entitled "An Act authorizing the Commissioners Court in each county in this State having a population of not less than eighteen thousand, four hundred and forty-four (18,444) and not more than eighteen thousand, five hundred (18,500); and counties having a population of not less than twelve thousand, three hundred and forty-four (12,344) nor more than twelve thousand, five hundred (12,500), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction and maintenance of the public roads of the county; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Price:

H. B. No. 494, A bill to be entitled "An Act authorizing the Commissioners' Court of any county having a population of not less than sixty thousand (60,000) and not more than eighty thousand (80,000), according to the last United States Census, to rent or let to any landowner any tractor, grader, machinery or equipment belonging to said county to be used exclusively upon land belonging to such owner situated in said county, in the construction of terraces, dikes and ditches for the purposes of said conservation and soil erosion prevention and for the purpose of constructing water tanks and reservoirs, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Smith of Atascosa:

H. B. No. 495, A bill to be entitled "An Act granting permission to E.

B. Rodriquez to bring suit against the State of Texas, and/or Highway Department, in a court of competent jurisdiction, in Frio County, Texas, for damages for personal injuries received by him while on duty in the employ of the Highway Department of the State of Texas, and which injuries are alleged to have produced damages to the said E. B. Rodriquez; providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Leyendecker (by request):

H. B. No. 496, A bill to be entitled "An Act creating the Texas Greyhound Racing Commission, prescribing the number of members thereof, defining their qualifications, fixing their terms and method of qualification, defining the powers and jurisdiction of the Commission, fixing the places of meeting, directing the employment of an executive secretary and other necessary employees, and limiting their compensation, and providing for payment of expenses of the Commission out of the special fund created by this Act and limiting expenses of the Commission to \$60,000 annually; permitting race meetings and operation of pari-mutuel pools in connection therewith only under license of Commission, and prescribing steps to obtain license as follows: (1) application for permit, (2) form of application and conditions and requisites to issuance of permit, (3) issuance of annual license to holders of approved permits and providing method of obtaining license and fixing license fees; providing for revocation of license and approved permit by Commission for cause, providing method of operation and handling pari-mutuel pools within racing enclosure by licensee and providing retention by licensee of a portion of the amount wagered in pari-mutuel pools and payment of licensee of a percentage of amount wagered in each pool to the State of Texas as tax, and purses; prohibiting

any form of wagering on races except through the purchase and sale of pari-mutuel tickets in racing enclosure of licensee and prescribing punishment therefor and prohibiting minors from purchasing pari-mutuel tickets; levying an admission tax of 15% on all paid admission; providing for license fees for trainers and all persons connected with race tracks and requiring Commission to make rules and regulations relating thereto; prohibiting employment of minors about race tracks except as grooms or exercise boys; prohibiting racing on Sundays; prohibiting any effort to prearrange result of races or to stimulate or depress Greyhounds entered in a race and fixing punishment therefor; requiring employment of 95% Texas labor by Greyhound race track operators where pari-mutuel pools are operated except under license in accordance with this Act and fixing punishment therefor; authorizing commission to examine books and records of licensees, summons, swear and examine witnesses and prescribing punishment for contempt; defining "Greyhound"; providing for formation of private corporations to operate Greyhound race tracks with pari-mutuel pools in connection therewith in conformity with this Act; providing that payments of taxes by licensees of Greyhound race tracks be in lieu of all other or further excise or occupation taxes to State, county, city, or political subdivision; making appropriation of State racing fund created by this Act for this biennium as follows: (A) \$60,000 to State Racing Commission or so much thereof as necessary, (B) one-fourth of remainder to Available Public Free School Fund, (C) the balance of special racing fund as follows: two-thirds to Old Age Pension Fund and one-third to the Teachers Retirement Fund; providing that if any clause, provision or requirement of this Act be held invalid such judgment shall not invalidate remainder or Act, and repealing all laws and parts of laws in conflict herewith; providing this Act shall be known as "The Texas Greyhound Racing Commission Act", and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Whitesides:

H. B. No. 497, A bill to be entitled "An Act to appropriate Twenty-five Thousand Dollars (\$25,000) for creation and improvement of Jim Hogg Memorial Park in Cherokee County as established under the provisions of House Bill No. 110, passed at the Regular Session of the Forty-seventh Legislature; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Smith of Bastrop:

H. B. No. 498, A bill to be entitled "An Act declaring it unlawful for any person to kill, take or have in his possession for barter or sale after the passage of this Act, for a period of five (5) years, any wild fox or the pelts thereof in the County of Bastrop, State of Texas, and providing a penalty therefor."

Referred to the Committee on Game and Fisheries.

By Mr. Walters and Mr. Morris:

H. B. No. 499, A bill to be entitled "An Act to amend the subject matter embraced in Section 13 of Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session, as amended by Section 5 of Chapter 67, Acts of the Forty-fifth Legislature, Regular Session, and Section 7 of Chapter 2, Title: Labor, Acts of the Forty-sixth Legislature, Regular Session, and making provisions relative to the administration of the unemployment compensation administration fund; providing for the care, custody, and expenditure of said fund; providing for reimbursement to the fund for any sums of money not used for proper and efficient administration, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Stanford:

H. B. No. 500, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended Acts 1927, 40th Legislature, First Called Session, Page 104, Chapter 35, Section 1; as amended Acts 1929, 41st Legislature, First

Called Session, Page 62, Chapter 28, Section 1; as amended Acts 1931, 42nd Legislature, Second Called Session, Page 29, Chapter 15, Section 1; as amended Acts 1937, 45th Legislature, First Called Session, Page 1826, Chapter 45, Section 3; as amended Acts 1939, 46th Legislature, Special Laws, Page 595, Section 1; and amending Article 1646 of the Revised Civil Statutes of Texas, 1925, as amended Acts 1929, 41st Legislature, Page 687, Chapter 308, Section 1; providing for the appointment of county auditors in certain counties; providing salaries for such county auditors and the method of fixing and payment of same; providing order fixing salary to be recorded in the minutes of the District Court of the county and to be certified to Commissioners Court for recording in its minutes; providing for the repeal of all laws or parts of laws in conflict herewith; providing for a saving clause in the event any portion of this Act shall be held unconstitutional; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Hardeman:

H. B. No. 501, A bill to be entitled "An Act making it unlawful to take or kill wild deer in the Counties of Tom Green, Irion, Sterling, Reagan and Glasscock for a period of five (5) years; prescribing penalty for the violation of this Act; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Hardeman:

H. B. No. 502, A bill to be entitled "An Act to amend Senate Bill No. 175, being Chapter 15 of the Acts of the Forty-sixth Legislature, approved March 25, 1939, authorizing independent school districts and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasia, stadia, or other recreational facilities, and to authorize the purchase of additional buildings and grounds for such purposes, and to mortgage and encum-

ber the same, and the income thereof, and to evidence the obligation therefor by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same; providing that the purchaser shall have a franchise to operate the same in case of foreclosure; providing that no such obligation shall ever be a debt of any such school district or city; but solely a charge upon the property so encumbered; providing that no election for the issuance of such bonds shall be necessary; providing that such project shall be deemed self-liquidating in character; providing that such bonds may be authorized by a majority vote of the boards of trustees of such school districts or the governing bodies of any such cities; providing that the cost of maintaining and operating the project shall be a first charge against the revenues of the project; providing that such bonds shall be payable from the net revenues of the project, together with all future extensions or additions thereto, or replacements thereof; providing for the payment of said bonds; providing that the holder of said bonds shall never have the right to demand payment thereof out of any funds raised or to be raised by taxation; providing that said bonds shall be approved by the Attorney General and registered by the State Comptroller; providing that no bonds authorized shall be issued or executed after the expiration of two (2) years from the effective date of this Act; providing that no land upon which is situated school improvements shall be subject to the indebtedness created hereunder; validating Acts heretofore performed by school districts; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. McCann:

H. B. No. 503, A bill to be entitled "An Act regulating the use of duck blinds in the waters of Harrison and Marion Counties, Texas; regulating the use thereof; providing license tax for the use of commercial blinds and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. McCann:

H. B. No. 504, A bill to be entitled "An Act amending H. B. No. 386, 46th Legislature, providing a closed season for taking game fish on Caddo Lake and all fresh waters of Harrison and Marion Counties; making certain exceptions; providing a suitable penalty for violation of any provision of this Act; repealing all conflicting laws; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Winfree and Mr. Montgomery:

H. B. No. 505, A bill to be entitled "An Act to amend Chapter 11, Title 78, of the Revised Civil Statutes of the State of Texas for 1925, by adding thereto Article 4929A, providing for the recovery of penalties and attorney's fees where the insurer under a fire policy, in the event of a loss, fails to pay the same within sixty days after demand therefor; providing that such attorney's fees be taxed as a part of the costs; and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Bean:

H. B. No. 506, A bill to be entitled "An Act amending Section 12, Chapter 271, Acts of the Regular Session of the Forty-second Legislature; and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Donald:

H. B. No. 507, A bill to be entitled "An Act to prohibit unfair commercial discrimination between different sections, communities, or localities, or unfair competition or driving others out of business, and to prevent restraint of trade or commerce, providing for ouster, making Act cumulative, prescribing penalties, and declaring an emergency."

Referred to the Committee on Commerce and Manufactures.

By Mr. Rampy:

H. B. No. 508, A bill to be entitled "An Act providing for additional traveling expenses for County Superintendents of Public Instruction in counties of Texas having a population of not less than eighteen thousand, nine hundred (18,900) and not more than eighteen thousand, nine hundred thirty (18,930), according to the last preceding Federal Census, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Lowry:

H. B. No. 509, A bill to be entitled "An Act amending Article 8306, Section 11 of the Revised Civil Statutes of Texas, 1925, so as to provide that payments for partial incapacity for work shall not cover a period of more than four hundred (400) weeks; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Lowry:

H. B. No. 510, A bill to be entitled "An Act amending Chapter 248, Acts of the Forty-second Legislature of Texas, 1931, so as to reduce the rate of discount on advanced payments of compensation; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Lowry:

H. B. No. 511, A bill to be entitled "An Act amending Article 8306, Section 7, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-sixth Legislature of Texas, 1939, page 712, so as to provide for the furnishing of artificial appliances to injured claimants; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Insurance.

By Mr. Evans and Mr. Benton:

H. B. No. 512, A bill to be entitled "An Act regulating the solemniza-

tion and validity of marriages in Texas; providing that no marriage entered into in a State or country other than Texas shall ever be valid in this State, if the parties or either of them thereto are forbidden by the laws of Texas to intermarry; providing that the Act shall not affect any marriage entered into in this State prior to the effective date hereof; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Judiciary and Uniform State Laws.

By Mr. Baker:

H. B. No. 513, A bill to be entitled "An Act creating a special road law for Camp County, Texas; authorizing the Commissioners' Court to issue funding bonds or warrants in lieu of certain scrip warrants, and validating such scrip; providing the method of issuing the same; making it the duty of the Commissioners' Court to levy a tax sufficient to pay principal and interest as they mature and accrue; making the General Laws pertaining to roads and bridges applicable to Camp County, Texas, and providing that the provisions of this Act shall be effective in case of conflict with any General or Special Law; providing that if any portion of this Act shall be held invalid, such holding shall not affect the other portions hereof; enacting other provisions relating to the subject; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Montgomery, Mr. Hartzog, Mr. Bell, Mr. Hanna and Mr. Crosstwait:

H. B. No. 514, A bill to be entitled "An Act repealing Section 9 of Article IV of Chapter 495 of the Acts of the Third Called Session of the 44th Legislature, as amended by Senate Bill No. 24, Chapter 5, Acts of the 46th Legislature; and declaring an emergency."

Referred to the Committee on Banks and Banking.

By Mr. Hardeman:

H. B. No. 515, A bill to be entitled "An Act applicable to the County of

Tom Green, State of Texas, prohibiting the transportation of minnows beyond the borders of said county for the purpose of sale; limiting the number of minnows to be transported beyond the limits of said county; prohibiting the use of trotlines or throwlines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said county, with certain exceptions; providing legal length of catfish in said county; providing the daily bag limit of catfish; providing penalties for any violation of this Act; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Halsey:

H. B. No. 516, A bill to be entitled "An Act authorizing the Board of Directors of Texas Technological College to accept from private sources a gift of building stone for the construction on the campus of said school, of a Museum, Social Science, and Anthropological Research Building; making an appropriation of \$48,120.00, or so much thereof as may be necessary, for the purpose of constructing said building; providing that no part of this money shall be spent for building stone to be used in the construction of such building; and providing that no part of the appropriation shall be available until all such building stone has been provided from private sources at no cost to the State; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Little:

H. B. No. 517, A bill to be entitled "An Act authorizing the Board of Regents of the West Texas State Teachers College to accept from private sources a gift of building stone for the completion of a building on the campus of said school, to be used as a museum; making an appropriation of \$46,955.00 or so much thereof as may be necessary, for the completion of said building; providing that no part of this money shall be spent for building stone to

be used in the construction of such building; and providing that no part of the appropriation shall be available until all such building stone has been provided from private sources at no cost to the State; and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Stanford:

H. B. No. 518, A bill to be entitled "An Act authorizing the Commissioners' Courts in all counties having a population of not less than one hundred thousand (100,000) and not more than one hundred ninety thousand (190,000) inhabitants, according to the last preceding Federal Census, to determine the maximum annual salary to be paid an officer named in Section 13 of Chapter 465 of the Acts of the Second Called Session of the Forty-fourth Legislature, where such officer's salary was based upon population under the laws existing on August 24, 1935, on the basis of the population of said county, according to the last preceding Federal Census; provided that the Commissioners' Courts in said counties are authorized to fix the maximum annual salary for the balance of the fiscal year 1941 after the effective date of this Act on the basis of the Federal Census of 1940 and thereafter according to the last preceding Federal Census, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Gilmer:

H. B. No. 519, A bill to be entitled "An Act amending Article 6890, Revised Civil Statutes of Texas, 1925, providing for county and State registration of all live stock brands; providing a fee for such registration, and for the expense of the administration of this Act to be paid therefrom; providing that the Department of Public Safety and County Clerks of the State shall be charged with the administration of this Act, and with the keeping of records pertaining thereto; providing for the renewal of such registrations every five years; repealing all laws in conflict, and expressly repealing Article

6895 and Article 6898, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

Referred to the Committee on Live Stock and Stock Raising.

By Mr. Weatherford and Mr. Crosthwait:

H. B. No. 520, A bill to be entitled "An Act providing that in counties having not less than 37,500 nor more than 38,250 population according to the last Federal Census, a candidate in a primary election of such county for State Representative in the Legislature shall not have his name placed on the ballot unless and until he has paid to the County Executive Committee a sum to be fixed not in excess of Fifty Dollars; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

Referred to the Committee on Privileges, Suffrage and Elections.

By Mr. Burnaman:

H. B. No. 521, A bill to be entitled "An Act authorizing any county or any incorporated city or town of this State, acting through its governing body, to acquire by purchase out of local funds, gift, bequest or otherwise, tracts of land suitable for the growth of trees, and to administer the same, as well as any other land now owned by such political subdivision and suitable for the growth of trees, as community forests; providing that such community forests and the administration thereof shall be under the supervision and have the counsel and cooperation of the Texas Forest Service; providing further that such community forests shall in all respects be subject to the laws of this State with respect to the forestation service; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Burnaman:

H. B. No. 522, A bill to be entitled "An Act providing that the salary of county commissioners, in counties having a population of not less than 17,475 nor more than 17,500, according to the last Federal Census, and

having a taxable valuation in excess of \$6,800,000.00 for the next preceding year, shall be \$1,800.00 per year, payable out of the Road and Bridge Fund of said county; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Donald:

H. B. No. 523, A bill to be entitled "An Act amending Section 9, Chapter 107, Acts of the Regular Session of the Forty-first Legislature, 1929, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Spacek and Mr. Hobbs:

H. B. No. 524, A bill to be entitled "An Act amending Article 3899, Revised Civil Statutes of Texas, 1925, as amended by Chapter 311, Acts of the Forty-fourth Legislature, Regular Session, and Chapter 465, Acts of the Second Called Session, Forty-fourth Legislature; and by Chapter 498, Acts of the Forty-fifth Legislature, to provide that premium on official bonds for county treasurers, county auditors, county road commissioners, county school superintendents, and hide and animal inspectors, and their deputies, shall be paid from county funds; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Spacek and Mr. Hobbs:

H. B. No. 525, A bill to be entitled "An Act amending Article 321, Revised Civil Statutes of Texas, 1925, to provide that district attorneys and criminal district attorneys shall hold office for a term of four (4) years; and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Spacek and Mr. Hobbs:

H. B. No. 526, A bill to be entitled "An Act levying a tax of one cent per cubic yard on the production of all pit run gravel, washed gravel, sand, crushed rock and/or stone of any form used in road building or in the construction of buildings; providing that such tax shall be the liability

of the producer and not the land-owner, and shall be collected at pits or places where sold; providing for the allocation of the funds derived from this tax; providing for the administration of this Act and penalties for the violation thereof; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Spacek and Mr. Hobbs:

H. B. No. 527, A bill to be entitled "An Act levying a tax on the production or mining of fullers earth in this State of One Dollar (\$1.00) per ton; providing that such tax shall be paid by the producer and not by the land owner; providing for the allocation of funds derived from this Act; providing for the administration of this Act and fixing penalties for the violation thereof; and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Donald:

H. B. No. 528, A bill to be entitled "An Act providing for compensation for County Auditor and Purchasing Agent in certain counties; providing mode and manner of payment of such salary; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Donald:

H. B. No. 529, A bill to be entitled "An Act fixing the salaries of county commissioners in counties of not less than twenty thousand four hundred and forty-two (20,442), and not more than twenty thousand four hundred and fifty (20,450) inhabitants; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. McGlasson:

H. B. No. 530, A bill to be entitled "An Act providing that any municipality, city or town, or village authorized to furnish water, gas, sewer or electric service to itself and inhabitants shall have full power to furnish all of such services under same provisions."

Referred to the Committee on Municipal and Private Corporations.

By Mr. McGlasson:

H. B. No. 531, A bill to be entitled "An Act authorizing cities, towns, and villages to issue revenue bonds for the purpose of refunding bonds issued for the purpose of constructing, purchasing, or improving or making extensions or additions to utility property operated by cities, towns, and villages, and providing terms and conditions under which such revenue bonds may be issued; and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Davis:

H. B. No. 532, A bill to be entitled "An Act to amend Article 5139, Revised Civil Statutes of Texas, 1925, so as to make the provisions thereof applicable to counties having a population of 105,000 or more, instead of to counties having a population of 100,000 or more; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Bundy, Mr. Celaya, Mr. Clark, Mr. Burkett, Mr. Hartzog, Mr. Kinard, Mr. White and Mr. Nicholson:

H. B. No. 533, A bill to be entitled "An Act defining certain words, terms and phrases; imposing an occupational or excise tax upon the first sale, distribution or use of motor fuel in this State, with certain exceptions, exemptions and deductions; requiring the distributor making the first sale or distribution to collect said tax from the purchaser or recipient of said motor fuel and to pay to the State of Texas the tax so collected and the tax on motor fuel used by said distributor; providing that the tax so collected shall be added to selling price upon each subsequent sale so that such tax is ultimately paid by the person using or consuming said motor fuel for the purpose of generating power for the propulsion of any motor vehicle upon the public highways; requiring the tax to be posted separately from price of motor fuel wherever sold in this State; providing that said tax

shall be in lieu of any other occupational or excise tax imposed by the State or any political subdivision thereof on the sale, distribution or use of motor fuel; fixing the time and manner of payment to the State of the tax collected upon the sale and distribution and accruing upon the use of motor fuel; requiring reports to be made and filed with the Comptroller by distributors and other persons selling motor fuel and setting forth the information to be contained in said reports; authorizing the Comptroller to audit distributors, dealers and other persons; providing that said tax shall be collected for the use and benefit of the State of Texas and prescribing a felony and fixing the penalty for wilfully failing or refusing to pay any tax so collected to the State of Texas on or before such payment is due; prescribing a felony and fixing the penalty upon certain persons who shall fraudently mis-apply or convert to their own use tax funds collected for the use of and required to be paid over to the State of Texas; providing that the Comptroller may authorize the sale or distribution of certain taxable products without collecting said tax to bonded and licensed distributors for certain purposes, and requiring the distributor purchasing said products to keep records, make reports and issue manifests for such sales and to pay the tax levied upon any subsequent taxable sale of said products; providing that an application shall be filed and a distributor's permit obtained as a prerequisite to engage in the selling, distributing or using of motor fuel upon which a tax is required to be paid and setting forth the information to be contained in said application and permit; requiring distributors to furnish a surety bond or in lieu thereof to deposit cash or acceptable securities in the suspense account of the State Treasurer, conditioned upon and guaranteeing the faithful compliance with the provisions of this Act; setting forth the terms, conditions and limitations of said bonds and the provisions of the Act applicable to said bonds and the sureties thereon; authorizing the Comptroller to require distributors to make reports and pay taxes collected and accruing at fixed intervals

shorter than one (1) month in the event a maximum bond shall become insufficient; providing that all taxes, penalties, interests and costs due, or required to be paid, to the State by a distributor shall be secured by a preferred lien, first and prior to any and all existing liens, contract or statutory, legal or equitable, upon all the property of said distributor, including all cash, accounts and notes receivable, and all other property devoted to or used by said distributor in his business as a distributor; requiring and regulating the keeping of records for a period of two (2) years by distributors and dealers and describing said records to be kept; requiring persons transporting any product required to be recorded upon a manifest to carry said manifest covering his cargo at all times and requiring the issuance of a manifest upon each subsequent sale from said cargo; requiring and regulating the records and reports to be made and kept by common and contract carriers; providing that certain products shall be collected and conserved for sale, distribution or use, or shall be neutralized or destroyed to prevent their use as motor fuel; providing for refund of tax upon motor fuel used for purposes other than propelling a motor vehicle upon the public highways and requiring persons who sell motor fuel for refund purposes to file an application for and to obtain a refund dealer's license from the Comptroller as a prerequisite to such sales; prescribing penalties for violation of the refund section and prohibiting the issuance of warrants in payment of refunds under certain conditions; providing for the issuance of invoices of exemption by the Comptroller to be used and accounted for by refund dealers; describing the information to be contained in invoices of exemption and providing for the filling of refund claims and the information to be contained in said claims; providing for a filing fee and appropriating the same; imposing a tax upon the use of liquefied gases and other liquid fuels when used to propel a motor vehicle upon the public highways, and requiring users of such products to obtain a permit or certificate thereof and furnish a bond for each vehicle using said products;

prescribing the form, terms and conditions of said bond and setting forth the provisions effecting said bonds and the sureties thereon; requiring users of said products to keep records, make reports and pay the tax to the Comptroller, and describing the information to be contained in said reports; providing that all taxes, penalties, interests and costs shall be secured by a preferred lien, first and prior to existing liens, upon the motor vehicle using said liquified gases or other liquid fuels; prohibiting the sale of said products to any person not holding and exhibiting a valid permit or certificate thereof; prohibiting the connection from cargo tanks to carburetor of motor vehicles; authorizing the Comptroller and his authorized representatives to inspect premises and the equipment thereon where motor fuel, crude petroleum, natural gas, or any derivatives or condensates thereof, are produced, made, stored, transported, sold, or offered for sale or exchange, to examine all books and records and take samples of all such products; authorizing the Comptroller to cancel or refuse issuance, extension or reinstatement of any permit, license or certificate, after hearing, for certain causes; providing for the time, place and manner of said hearing and providing that all taxes collected or accrued shall become due and payable forthwith upon the cancellation of any permit or license; providing any aggrieved permittee or licensee shall have the right of appeal to the district court of Travis County and describing the procedure in such appeals; providing for the observance of certain procedures in suits filed for taxes, penalties and interest due or past due or for taxes collected and not paid to the State; providing that reports or certified copies thereof filed with the Comptroller by a distributor or any audit made by a representative of the Comptroller from books and records of said distributor or from certain persons with whom said distributor has transacted business when properly certified to by the Comptroller or his Chief Clerk shall be admissible as prima facie evidence in said proceedings; provided, however, said prima facie presumptions may be overcome by evidence ad-

duced by the defendant; imposing certain penalties, and forfeitures against and upon persons violating or failing to comply with provisions of this Act and providing for the recovery of said penalties and forfeitures by suits; fixing venue for any suit, injunction or other proceeding at law for the collection of delinquent taxes, penalties, and interest accruing hereunder and the enforcements of the provisions of this Act; prescribing penalties and interest for failure to remit taxes collected or to pay taxes due upon the date required hereunder; providing that before a restraining order or injunction shall issue the applicant therefor shall pay into the suspense account of the Treasurer or furnish a surety bond to cover the taxes shown to be due by an audit of the Comptroller and making Section 1, Chapter 310, Acts of the Regular Session of the 45th Legislature, applicable to such suits; providing that any proceedings to enjoin the enforcement of the provisions of this Act shall be in a Court of competent jurisdiction in Travis County, Texas; authorizing the Comptroller or his representatives to measure, calibrate and determine the capacity of any vehicle tank or container in which certain taxable products are transported; providing the Comptroller with authority to promulgate rules and regulations for regulating and prescribing the tolerances and specifications to be observed by the owners of such vehicle tanks and containers; providing for the labeling and marking of such tanks and container; providing for the issuance by the Comptroller of a measurement certificate to be carried with such vehicle tanks and containers; prescribing penalties for violating or failing to comply with the provisions of this Section; providing for the impoundment of motor vehicles transporting motor fuel or using liquefied gases or other liquid fuels in violation of the provisions of this Act; providing for the seizure and forfeiture of taxable motor fuel found in the possession or control of any person for the purpose of being sold, transported, removed, concealed or used by him in fraud of the provisions of this Act, and providing for the seizure and forfeiture of any mo-

tor vehicle used to transport such motor fuel and all equipment and paraphernalia or other tangible personal property used for or incident to such violations; providing for the court proceedings to be followed to perfect said forfeiture and proper procedure if defendant unknown or a nonresident; requiring appraisal and written report by Comptroller of property seized; providing for the sale of such property after judgment and allocating funds received from such sales; authorizing summary proceedings for sale of property under certain appraised value unless claimant files claim with Comptroller and posts bond to have forfeiture proceeding instituted and tried in court as provided by law; providing the forfeiture and sale of such property shall not serve to release defendant from criminal prosecution for any violation of this Act; authorizing Comptroller to waive forfeiture proceedings and require offender to pay a penalty of twice the amount of the tax due; providing that the Comptroller may require payment of tax and penalty when motor fuel has been sold without payment of the tax levied herein; authorizing the Comptroller to promulgate rules and regulations and prescribing the manner of advertising notice of hearing and publishing such rules and regulations adopted; providing that the Comptroller or any duly authorized representative shall have the power to issue subpoenas, compel the attendance of witnesses, administer oaths, certify to official acts and compel the production of pertinent books, accounts, records and documents; providing that the district court having jurisdiction shall issue proper summons to witnesses who fail or refuse to obey any subpoena issued by the Comptroller; providing for punishment for contempt after hearing; appropriating funds for the enforcement of the provisions of this Act; allocating tax funds collected; prescribing a misdemeanor penalty and fixing punishment for certain violations of this Act; prescribing a felony penalty and fixing punishment for certain violations of said Act; providing that a conviction of a felony under Section 27 shall automatically forfeit the right of the offender to obtain a permit or license

for two (2) years thereafter; fixing venue, and providing that the penalties prescribed in Section 27 shall apply and control over penalties prescribed in Section 26; repealing Chapter 44, Regular Session of the Forty-third Legislature, as amended by Chapter 240, Regular Session of the Forty-fourth Legislature, as amended by Chapter 3 and Chapter 8, Regular Session of the Forty-sixth Legislature, and all other prior or existing Motor Fuel Laws, and providing this Act shall prevail over all laws or parts of laws that conflict herewith; providing that all taxes, penalties and interest accruing to the State of Texas by virtue of any prior or existing motor fuel laws before the effective date of this Act, shall be preserved and shall remain valid and binding obligations and all liens, bonds and other obligations created shall remain in full force and effect; the punishment of offenses committed and the recovery of fines and forfeitures incurred under prior or existing motor fuel laws shall take place as if the laws repealed had remained in force; providing that if any section, subsection, sentence, clause or phrase is held to be invalid or unconstitutional for any reason such decision shall not effect the remaining portions of this Act, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Celaya:

H. B. No. 534, A bill to be entitled "An Act to amend Section 7 of Chapter 362, page 724, Acts 1937, Forty-fifth Legislature, known as 'Texas Citrus Marketing Act,' so as to provide for the regulation of the volume of any citrus fruit to be moved into or enters or burdens intrastate commerce by the fixing and adopting of minimum prices per pound for such citrus fruit on the tree to be paid the grower thereof before same may be moved in or permitted to burden intrastate commerce, providing for rules and regulations for enforcement of same, declaring contracts for less than fixed minimum prices to be against public policy and prescribing penalties, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Sharpe, Mr. Roark and Mr. Moore:

H. B. No. 535, A bill to be entitled "An Act amending Section 21, Article I, Chapter 407, Acts of the Forty-fourth Legislature, Second Called Session, as amended by Section 3, Article III, Chapter 495, Acts of the Forty-fourth Legislature, Third Called Session, and Section 26, Article I, Chapter 448, Acts of the Forty-fifth Legislature, Regular Session, increasing the tax on liquor; also amending subsection (a), Section 23, of Section 21, Article I, Chapter 407, Acts of the Forty-fourth Legislature, Second Called Session, as amended by Section 3, Article III, Chapter 495, Acts of the Forty-fourth Legislature, Third Called Session, and Section 26, Article I, Chapter 448, Acts of the Forty-fifth Legislature, Regular Session, increasing the tax on beer; providing for the necessary means, methods and power of collection of taxes herein levied, establishing the fund to which said revenue shall go; allocating the funds herein to respective funds; and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Davis:

H. B. No. 536, A bill to be entitled "An Act to provide for the establishment of a juvenile board in counties having a population of not less than 100,000 and not more than 105,000 inhabitants, according to the last preceding Federal Census; providing for the compensation of the members of the said board; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Burnaman, Mr. Deen, Mr. Murray, Mr. Montgomery, Mr. King and Mr. Ellis:

H. B. No. 537, A bill to be entitled "An Act amending Article 779 of the Revised Statutes; providing for the investment of county and road district sinking funds, and declaring an emergency."

Referred to the Committee on Counties.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Spacek and Mr. Hobbs:

H. J. R. No. 22, Proposing an amendment to the Constitution of the State of Texas increasing the term of the office for the Clerk of the District Court to four (4) years.

Referred to the Committee on Constitutional Amendments.

MESSAGE FROM THE SENATE

Austin, Texas, February 26, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 90, A bill to be entitled "An Act to authorize and empower the Governor of the State of Texas to lease and demise to the United States, the tract of land known as Camp Wolters, etc., and declaring an emergency."

S. B. No. 125, A bill to be entitled "An Act to amend Title 69 of the Revised Civil Statutes of Texas, 1925, by amending Articles 4113, 4114, 4116 and 4117 of Chapter 2 of said Title 69, relating to the commencement of proceedings for the appointment of guardians of the persons and estates of minors, persons of unsound mind, etc., and declaring an emergency."

S. B. No. 129, A bill to be entitled "An Act amending House Bill No. 704, passed at the Regular Session of the 44th Legislature, etc., and declaring an emergency."

Adopted

S. C. R. No. 13, Authorizing the lending of guard wire to Forney Independent School District of Kaufman County, Texas.

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate Bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 90, to the Committee on Military Affairs.

S. B. No. 125, to the Committee on Judiciary and Uniform State Laws.

S. B. No. 129, to the Committee on Municipal and Private Corporations.

REQUEST OF SENATE GRANTED

On motion of Mr. Taylor, the House granted the request of the Senate for the appointment of a Conference Committee on Senate Bill No. 36.

In accordance with the above action the Speaker announced the appointment of the following Conference Committee on Senate Bill No. 36:

Messrs. Phillips, Taylor, Kelly, Murray and Donald.

MEMORIALIZING CONGRESS IN REGARD TO RELIEF OF AGRICULTURE

Mr. Davis offered the following resolution:

H. S. R. No. 133, Memorializing Congress in Regard to Relief of Agriculture.

Whereas, The State of Texas is recognized as the largest agricultural State in the Union; and

Whereas, The population, in accordance with the last Federal Census, has shown a substantial gain over the previous 1930 census, the farm census has shown a serious drop in population; and

Whereas, Practically every agricultural county shows less families living on farms than ten years ago, and some counties show a loss of as much as 1,000 farms; and

Whereas, There are many reasons for this decline in population in the rural communities, several of the problems aggravating the farmers problems being

(1) The tariff policy which takes

more than half of the cotton income from our Texas farmer;

(2) Our AAA policy of sacrificing family sized farming to large scale production;

(3) The profitable tenant farming;

(4) The large percentage of Texas farmers do not own the land they till, there being less than three out ten farmers in Texas owning their own land; and

Whereas, There are many other factors confronting this State that are vital to the farmers, and the prosperity of this State; now

Therefore, be it resolved, That the House of Representatives of the State of Texas hereby request the Committees on Agriculture of the National House of Representatives and Senate to give study to the question of affording relief, and alleviating the farm problems of Texas, with a view to such recommendations for the relief of the farmers of Texas as may be deemed adequate; and

Be it further resolved, That the Chief Clerk of the House is directed to transmit, under Seal of the House, a copy of this resolution to the chairman of each of said committees of the United States House of Representatives and Senate.

The resolution was read second time and was adopted.

RELATIVE TO PRIVILEGES OF THE FLOOR

The Speaker laid before the House, for consideration at this time, the following resolution:

H. S. R. No. 122, by Mr. Hileman-Relative to Privileges of the Floor.

The resolution having heretofore been read second time and referred to the Committee on Rules.

The Committee on Rules having recommended the adoption of the resolution.

The resolution was adopted by the following vote:

Yeas—54

Allen	Bridgers
Bell	Bruhl
Benton	Bullock
Brawner	Burkett

Carlton	McGlasson
Cleveland	McMurry
Connelly	Manning
Dickson of Nolan	Markle
Duckett	Mills
Eubank	Moore
Evans	Morse
Favors	Parker
Fitzgerald	Pevehouse
Gandy	Rampy
Hileman	Reed of Bowie
Hoyo	Reed of Dallas
Huffman	Roark
Isaacks	Roberts
Jones	Rhodes
Kennedy	Senterfitt
King	Smith of Atascosa
Knight	Spacek
Lansberry	Spangler
Little	Thornton
Love	Weatherford
Lucas	White
McCann	Whitesides

Nays—51

Allison	Hughes
Avant	Humphrey
Bailey	Hutchinson
Bean	Kersey
Boone	Kinard
Brown	Klingeman
Burnaman	Lehman
Cato	Leyendecker
Clark	Lock
Coker	Lowry
Colson, Mrs.	McLellan
Craig	McNamara
Davis	Matthews
Deen	Montgomery
Donald	Murray
Dove	Nicholson
Dwyer	Pace
Ferguson	Price
Goodman	Ridgeway
Harris of Hill	Sallas
Hartzog	Sharpe
Helpinstill	Shell
Henderson	Turner
Hobbs	Voigt
Howington	Winfree
Huddleston	

Absent

Alsup	Chambers
Anderson	Crossley
Baker	Crosthwait
Blankenship	Daniel
Bray	Dickson of Bexar
Bundy	Ellis
Carrington	Files
Celaya	Fuchs

Garland	Morris
Gilmer	Phillips
Halsey	Simpson
Hanna	Skiles
Hardeman	Smith of Bastrop
Hargis	Stanford
Heflin	Stinson
Kelly	Stubbs
Lyle	Taylor
McAlister	Vale
McDonald	Walters
Manford	Wattner
Morgan	

Absent—Excused

Harris of Dallas	Martin
Howard	

RELATIVE TO EXPENSE ACCOUNT OF MEMBERS

The Speaker laid before the House, for consideration at this time, the following resolution:

H. S. R. No. 127, by Mr. Lowry, Relative to Expense Account of Members.

The resolution having heretofore been read second time and referred to the Committee on Contingent Expense.

The Committee on Contingent Expense having recommended the adoption of the resolution.

The resolution was adopted.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

H. C. R. No. 38, by Mr. Winfree, To Grant William W. Shuff and Mrs. Surrilda Shuff Permission to Sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted by the following vote:

Yeas—109

Allen	Avant
Allison	Bailey

Bell	Knight
Benton	Lansberry
Blankenship	Lehman
Brawner	Leyendecker
Brown	Lock
Bruhl	Love
Bullock	Lucas
Bundy	McAlister
Burkett	McDonald
Burnaman	McGlasson
Carlton	McLellan
Carrington	McMurry
Cato	McNamara
Clark	Manford
Coker	Manning
Colson, Mrs.	Markle
Connelly	Matthews
Crossley	Mills
Davis	Montgomery
Deen	Moore
Dickson of Nolan	Morse
Donald	Pace
Dove	Parker
Duckett	Pevehouse
Ellis	Price
Eubank	Rampy
Evans	Reed of Bowie
Favors	Reed of Dallas
Ferguson	Ridgeway
Files	Roark
Fitzgerald	Roberts
Fuchs	Rhodes
Gandy	Sallas
Garland	Senterfitt
Gilmer	Sharpe
Hargis	Shell
Hartzog	Simpson
Heflin	Skiles
Helpinstill	Smith of Bastrop
Henderson	Spacek
Hileman	Spangler
Hobbs	Stinson
Howington	Stubbs
Hoyo	Taylor
Huffman	Thornton
Humphrey	Turner
Hutchinson	Voigt
Isaacks	Walters
Jones	Wattner
Kennedy	Weatherford
Kersey	White
King	Whitesides
Klingeman	Winfree

Present—Not Voting

Hughes

McCann

Absent

Alsup

Boone

Anderson

Bray

Baker

Bridgers

Bean

Celaya

Chambers	Kelly
Cleveland	Kinard
Craig	Little
Crosthwait	Lowry
Daniel	Lyle
Dickson of Bexar	Morgan
Dwyer	Morris
Goodman	Murray
Halsey	Nicholson
Hanna	Phillips
Hardeman	Smith of Atascosa
Harris of Hill	Stanford
Huddleston	Vale

Absent—Excused

Harris of Dallas	Martin
Howard	

TO GRANT PERMISSION TO SUE
THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

H. C. R. No. 45, by Mr. Bailey, To Grant C. O. Kieffer Permission to Sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was adopted by the following vote:

Yeas—125

Allen	Coker
Allison	Colson, Mrs.
Alsup	Connelly
Anderson	Crossley
Avant	Crosthwait
Bailey	Davis
Baker	Deen
Bell	Dickson of Nolan
Benton	Donald
Blankenship	Dove
Bridgers	Duckett
Brown	Dwyer
Bruhl	Ellis
Bullock	Eubank
Bundy	Evans
Burkett	Favors
Burnaman	Ferguson
Carlton	Files
Carrington	Fitzgerald
Cato	Fuchs
Clark	Gandy
Cleveland	Garland

Halsey	Markle
Hanna	Matthews
Hargis	Mills
Hartzog	Montgomery
Heflin	Moore
Helpinstill	Morgan
Henderson	Morris
Hileman	Morse
Hobbs	Murray
Howington	Pace
Hoyo	Parker
Huddleston	Pevehouse
Huffman	Phillips
Humphrey	Price
Hutchinson	Rampy
Isaacks	Reed of Bowie
Jones	Reed of Dallas
Kelly	Ridgeway
Kennedy	Roark
Kersey	Roberts
Kinard	Rhodes
King	Sallas
Klingeman	Senterfitt
Knight	Sharpe
Lansberry	Shell
Lehman	Smith of Bastrop
Leyendecker	Smith of Atascosa
Little	Spacek
Lock	Spangler
Love	Stinson
Lowry	Stubbs
Lucas	Taylor
Lyle	Thornton
McAlister	Turner
McCann	Walters
McDonald	Wattner
McGlasson	Weatherford
McLellan	White
McMurry	Whitesides
McNamara	Winfree
Manford	

Present—Not Voting

Brawner Hughes

Absent

Bean	Hardeman
Boone	Harris of Hill
Bray	Manning
Celaya	Nicholson
Chambers	Simpson
Craig	Skiles
Daniel	Stanford
Dickson of Bexar	Vale
Gilmer	Voigt
Goodman	

Absent—Excused

Harris of Dallas Martin
Howard

BILLS REREFERRED

Mr. Skiles moved that House Bill No. 225 be withdrawn from the Committee on Education and referred to the Committee on Appropriations.

Mr. Ferguson moved to table the motion to rerefer.

The motion to table was lost.

Question then recurring on the motion by Mr. Skiles, it prevailed.

Mr. Hartzog moved that House Bills Nos. 316, 269 and 365 be withdrawn from the Committee on Revenue and Taxation and referred to the Committee on Counties.

The motion prevailed.

Mr. Hartzog moved that House Bills Nos. 43, 46 and 113 be withdrawn from the Committee on Revenue and Taxation and referred to the Committee on State Affairs.

The motion prevailed.

Mr. Crossley moved that House Bill No. 469 be withdrawn from the Committee on State Affairs and referred to the Committee on Counties.

The motion prevailed.

BILLS ORDERED NOT PRINTED

On motion of Mr. Gilmer House Bill No. 445 was ordered not printed.

On motion of Mr. McAlister Senate Bill No. 129 was ordered not printed.

SENATE BILL NO. 19 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 19, A bill to be entitled "An Act to amend H. B. No. 30, Chap. 4, Acts of 1933, 1st Called Session of 43rd Legislature, etc., and declaring an emergency, and providing the Act shall take effect from and after its passage."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 19 ON THIRD READING

Mr. Blankenship moved that the

Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 19 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—136

Allen	Harris of Dallas
Allison	Harris of Hill
Alsup	Hartzog
Anderson	Heflin
Avant	Helpinstill
Bailey	Henderson
Baker	Hileman
Bean	Hobbs
Bell	Hoyo
Benton	Huddleston
Blankenship	Huffman
Boone	Hughes
Brawner	Humphrey
Bray	Hutchinson
Bridgers	Isaacks
Brown	Jones
Bruhl	Kelly
Bullock	Kennedy
Burnaman	Kersey
Carlton	Kinard
Carrington	King
Cato	Knight
Clark	Lansberry
Cleveland	Lehman
Coker	Leyendecker
Colson, Mrs.	Lock
Connelly	Love
Craig	Lowry
Crossley	Lucas
Crosthwait	McAlister
Daniel	McCann
Davis	McDonald
Deen	McGlasson
Dickson of Nolan	McLellan
Donald	McMurry
Dove	McNamara
Duckett	Manford
Dwyer	Manning
Ellis	Markle
Eubank	Matthews
Evans	Mills
Favors	Montgomery
Ferguson	Moore
Files	Morgan
Fitzgerald	Morris
Fuchs	Morse
Gandy	Murray
Garland	Nicholson
Gilmer	Pace
Goodman	Parker
Halsey	Pevehouse
Hanna	Phillips
Hargis	Price

Rampy	Spacek
Reed of Bowie	Spangler
Reed of Dallas	Stanford
Ridgeway	Stinson
Roark	Stubbs
Roberts	Taylor
Rhodes	Thornton
Sallas	Turner
Senterfitt	Voigt
Sharpe	Walters
Shell	Wattner
Simpson	Weatherford
Skiles	White
Smith of Bastrop	Whitesides
Smith of Atascosa	Winfree

Absent

Bundy	Howington
Burkett	Klingeman
Celaya	Little
Chambers	Lyle
Dickson of Bexar	Vale
Hardeman	

Absent—Excused

Howard	Martin
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The Speaker then laid Senate Bill No. 19 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—130

Allen	Craig
Allison	Crossley
Alsup	Crosthwait
Anderson	Daniel
Avant	Davis
Bailey	Deen
Baker	Dickson of Nolan
Bell	Donald
Benton	Dove
Blankenship	Duckett
Boone	Ellis
Brawner	Eubank
Bray	Evans
Bridgers	Favors
Brown	Ferguson
Bruhl	Files
Bullock	Fitzgerald
Burnaman	Fuchs
Carlton	Gandy
Carrington	Garland
Cato	Gilmer
Clark	Hanna
Cleveland	Hargis
Coker	Harris of Dallas
Colson, Mrs.	Harris of Hill
Connelly	Hartzog

Helpinstill	Morris
Henderson	Morse
Hileman	Murray
Hobbs	Nicholson
Howington	Pace
Hoyo	Parker
Huddleston	Pevehouse
Huffman	Phillips
Hughes	Price
Humphrey	Rampy
Hutchinson	Reed of Bowie
Jones	Reed of Dallas
Kelly	Ridgeway
Kennedy	Roark
Kersey	Roberts
Kinard	Rhodes
King	Sallas
Knight	Senterfitt
Lansberry	Sharpe
Lehman	Shell
Leyendecker	Simpson
Lock	Skiles
Love	Smith of Bastrop
Lowry	Smith of Atascosa
Lucas	Spacek
McAlister	Spangler
McCann	Stanford
McDonald	Stinson
McGlasson	Stubbs
McLellan	Taylor
McMurry	Thornton
McNamara	Turner
Manford	Voigt
Manning	Walters
Markle	Wattner
Matthews	Weatherford
Montgomery	White
Moore	Whitesides
Morgan	Winfree

Absent

Bean	Hardeman
Bundy	Heflin
Burkett	Isaacks
Celaya	Klingeman
Chambers	Little
Dickson of Bexar	Lyle
Dwyer	Mills
Goodman	Vale
Halsey	

Absent—Excused

Howard	Martin
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SENATE BILL NO. 28 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 28, A bill to be entitled "An Act to repeal the Bosque Coun-

ty Fish Law, being Chapter 43, page 792, House Bill No. 957, in the Special Laws of the 46th Legislature, and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 28 ON THIRD READING

Mr. Jones moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Allen	Files
Allison	Fitzgerald
Alsup	Fuchs
Anderson	Gandy
Avant	Garland
Bailey	Hanna
Baker	Hardeman
Bell	Hargis
Benton	Harris of Hill
Blankenship	Heflin
Boone	Helpinstill
Brawner	Henderson
Bray	Hileman
Bridgers	Hobbs
Brown	Howington
Bruhl	Hoyo
Bullock	Huddleston
Bundy	Huffman
Burkett	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Clark	Jones
Cleveland	Kelly
Coker	Kennedy
Colson, Mrs.	Kersey
Connelly	Kinard
Craig	King
Crosthwait	Klingeman
Daniel	Knight
Davis	Lansberry
Deen	Lehman
Dickson of Nolan	Leyendecker
Donald	Little
Dove	Lock
Duckett	Love
Dwyer	Lowry
Ellis	Lucas
Eubank	Lyle
Evans	McAlister
Favors	McCann
Ferguson	McDonald

McGlasson	Ridgeway
McLellan	Roark
McMurry	Roberts
McNamara	Rhodes
Manford	Sallas
Manning	Senterfitt
Markle	Sharpe
Matthews	Shell
Mills	Skiles
Montgomery	Smith of Bastrop
Moore	Smith of Atascosa
Morgan	Spacek
Morris	Spangler
Morse	Stinson
Murray	Stubbs
Nicholson	Taylor
Pace	Thornton
Parker	Turner
Pevehouse	Voigt
Phillips	Walters
Price	Wattner
Rampy	White
Reed of Bowie	Whitesides
Reed of Dallas	Winfree

Absent

Bean	Goodman
Burnaman	Halsey
Celaya	Hartzog
Chambers	Simpson
Crossley	Stanford
Dickson of Bexar	Vale
Gilmer	Weatherford

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid Senate Bill No. 28 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—137

Allen	Bruhl
Allison	Bullock
Alsup	Bundy
Anderson	Burkett
Avant	Burnaman
Bailey	Carlton
Baker	Carrington
Bell	Cato
Benton	Celaya
Blankenship	Chambers
Boone	Clark
Brawner	Cleveland
Bray	Coker
Bridgers	Colson, Mrs.
Brown	Connelly

Craig	McAlister
Crossley	McCann
Crosthwait	McDonald
Daniel	McGlasson
Davis	McLellan
Deen	McMurry
Dickson of Nolan	McNamara
Donald	Manford
Dove	Manning
Duckett	Markle
Ellis	Matthews
Eubank	Montgomery
Evans	Moore
Favors	Morgan
Ferguson	Morris
Files	Morse
Fitzgerald	Murray
Fuchs	Pace
Gandy	Parker
Garland	Pevehouse
Gilmer	Phillips
Goodman	Price
Hanna	Rampy
Hargis	Reed of Bowie
Harris of Hill	Reed of Dallas
Helpinstill	Ridgeway
Henderson	Roark
Hileman	Roberts
Hobbs	Rhodes
Howington	Sallas
Hoyo	Senterfitt
Huddleston	Sharpe
Huffman	Shell
Hughes	Simpson
Humphrey	Skiles
Hutchinson	Smith of Bastrop
Isaacks	Smith of Atascosa
Jones	Spacek
Kelly	Spangler
Kennedy	Stanford
Kersey	Stinson
Kinard	Stubbs
King	Taylor
Klingeman	Thornton
Knight	Turner
Lansberry	Vale
Lehman	Voigt
Leyendecker	Walters
Little	Wattner
Lock	Weatherford
Love	White
Lowry	Whitesides
Lucas	Winfree
Lyle	

Absent

Bean	Hartzog
Dickson of Bexar	Heflin
Dwyer	Mills
Halsey	Nicholson
Hardeman	

Absent—Excused

Harris of Dallas Martin
Howard

SENATE BILL NO. 101 ON SECOND
READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 101, A bill to be entitled "An Act amending House Bill No. 438, Regular Session, 46th Legislature, with reference to the employment of a stenographer or clerk by the County Judge of certain counties so as to make the Act applicable in counties having a population of not more than seven thousand eight hundred (7,800) and not less than seven thousand seven hundred (7,700) and in counties of not more than thirteen thousand two hundred ninety-nine (13,299) and not less than thirteen thousand one hundred ninety-nine (13,199) inhabitants, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 101 ON
THIRD READING

Mr. Leyendecker moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 101 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127

Allen	Carrington
Allison	Cato
Alsup	Celaya
Anderson	Chambers
Avant	Clark
Bailey	Cleveland
Baker	Coker
Bell	Colson, Mrs.
Benton	Connelly
Blankenship	Craig
Boone	Crosthwait
Brawner	Daniel
Bray	Davis
Bridgers	Deen
Brown	Dickson of Nolan
Bullock	Dove
Bundy	Duckett
Carlton	Ellis

Eubank
Evans
Favors
Ferguson
Fitzgerald
Fuchs
Gandy
Garland
Gilmer
Hanna
Hargis
Harris of Hill
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howington
Hoyo
Huddleston
Huffman
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
Kinard
King
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
McAlister
McCann
McDonald
McGlasson
McLellan

McMurry
McNamara
Manford
Manning
Markle
Matthews
Mills
Montgomery
Morgan
Morris
Morse
Murray
Nicholson
Pace
Parker
Phillips
Price
Reed of Bowie
Reed of Dallas
Ridgeway
Roark
Roberts
Rhodes
Sallas
Senterfitt
Sharpe
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Bean	Halsey
Bruhl	Hardeman
Burkett	Hartzog
Burnaman	Lyle
Crossley	Moore
Dickson of Bexar	Pevehouse
Donald	Rampy
Dwyer	Shell
Files	Stanford
Goodman	

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid Senate Bill No. 101 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—141

Allison	Hanna
Alsup	Hardeman
Anderson	Hargis
Avant	Harris of Hill
Bailey	Hartzog
Baker	Heflin
Bell	Helpinstill
Benton	Henderson
Blankenship	Hileman
Boone	Hobbs
Brawner	Howington
Bray	Hoyo
Bridgers	Huddleston
Brown	Huffman
Bruhl	Hughes
Bullock	Humphrey
Bundy	Hutchinson
Burkett	Isaacks
Burnaman	Jones
Carlton	Kelly
Carrington	Kennedy
Cato	Kersey
Celaya	Kinard
Chambers	King
Clark	Klingeman
Cleveland	Knight
Coker	Lansberry
Colson, Mrs.	Lehman
Connelly	Leyendecker
Craig	Little
Crossley	Lock
Crosthwait	Love
Daniel	Lowry
Davis	Lucas
Deen	Lyle
Dickson of Nolan	McAlister
Donald	McCann
Dove	McDonald
Duckett	McGlasson
Dwyer	McLellan
Ellis	McMurry
Eubank	McNamara
Evans	Manford
Favors	Manning
Ferguson	Markle
Files	Matthews
Fitzgerald	Mills
Fuchs	Montgomery
Gandy	Moore
Garland	Morgan
Gilmer	Morris
Goodman	Morse
Halsey	Murray

Nicholson	Smith of Bastrop
Parker	Smith of Atascosa
Pevehouse	Spacek
Phillips	Spangler
Price	Stanford
Rampy	Stinson
Reed of Bowie	Stubbs
Reed of Dallas	Taylor
Ridgeway	Thornton
Roark	Turner
Roberts	Vale
Rhodes	Voigt
Sallas	Walters
Senterfitt	Wattner
Sharpe	White
Shell	Whitesides
Simpson	Winfree
Skiles	

Absent

Allen	Pace
Bean	Weatherford
Dickson of Bexar	

Absent—Excused

Harris of Dallas	Martin
Howard	

SENATE BILL NO. 104 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 104, A bill to be entitled "An Act authorizing the appointment by the District Attorney or Criminal District Attorneys of assistants and a stenographer in Judicial Districts composed of and confined to one county only and in which Judicial District and county the population as determined by the last preceding Federal Census is not less than fifty thousand five hundred and not more than fifty-five thousand inhabitants, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 104 ON THIRD READING

Mr. Ferguson moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 104 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—142

Allison	Hefin
Alsup	Helpinstill
Anderson	Henderson
Avant	Hileman
Bailey	Hobbs
Baker	Howington
Bell	Hoyo
Benton	Huddleston
Blankenship	Huffman
Boone	Hughes
Brawner	Humphrey
Bray	Hutchinson
Bridgers	Isaacks
Brown	Jones
Bruhl	Kelly
Bullock	Kennedy
Bundy	Kersey
Burkett	Kinard
Burnaman	King
Carlton	Klingeman
Carrington	Knight
Cato	Lansberry
Celaya	Lehman
Chambers	Leyendecker
Clark	Little
Cleveland	Lock
Coker	Love
Colson, Mrs.	Lowry
Connelly	Lucas
Craig	Lyle
Crossley	McAlister
Crosthwait	McCann
Daniel	McDonald
Davis	McGlasson
Deen	McLellan
Dickson of Nolan	McMurry
Donald	McNamara
Dove	Manford
Duckett	Manning
Dwyer	Markle
Ellis	Matthews
Eubank	Mills
Evans	Montgomery
Favors	Moore
Ferguson	Morgan
Files	Morris
Fitzgerald	Morse
Fuchs	Murray
Gandy	Nicholson
Garland	Pace
Gilmer	Parker
Goodman	Phillips
Halsey	Price
Hanna	Rampy
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Hill	Ridgeway
Hartzog	Roark

Roberts	Stinson
Rhodes	Stubbs
Sallas	Taylor
Senterfitt	Thornton
Sharpe	Turner
Shell	Vale
Simpson	Voigt
Skiles	Walters
Smith of Bastrop	Wattner
Smith of Atascosa	Weatherford
Spacek	White
Spangler	Whitesides
Stanford	Winfree

Absent

Allen	Dickson of Bexar
Bean	Pevehouse

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid Senate Bill No. 104 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—139

Allen	Crossley
Allison	Crosthwait
Alsup	Daniel
Anderson	Davis
Avant	Deen
Bailey	Dickson of Nolan
Baker	Donald
Bell	Dove
Benton	Duckett
Blankenship	Dwyer
Boone	Ellis
Brawner	Eubank
Bray	Evans
Bridgers	Favors
Brown	Ferguson
Bruhl	Files
Bullock	Fitzgerald
Bundy	Fuchs
Burkett	Gandy
Burnaman	Garland
Carlton	Gilmer
Carrington	Goodman
Cato	Halsey
Celaya	Hanna
Chambers	Hardeman
Clark	Hargis
Cleveland	Harris of Hill
Coker	Hefin
Colson, Mrs.	Helpinstill
Connelly	Henderson
Craig	Hileman

Hobbs	Morgan
Howington	Morris
Hoyo	Morse
Huddleston	Murray
Huffman	Nicholson
Hughes	Pace
Humphrey	Phillips
Hutchinson	Price
Isaacks	Rampy
Jones	Reed of Bowie
Kelly	Reed of Dallas
Kennedy	Ridgeway
Kersey	Roark
Kinard	Roberts
Klingeman	Rhodes
Knight	Sallas
Lansberry	Senterfitt
Lehman	Sharpe
Leyendecker	Shell
Little	Simpson
Lock	Skiles
Love	Smith of Atascosa
Lowry	Spacek
Lucas	Spangler
Lyle	Stanford
McAlister	Stinson
McCann	Stubbs
McDonald	Taylor
McGlasson	Thornton
McLellan	Turner
McMurry	Vale
McNamara	Voigt
Manford	Walters
Manning	Wattner
Markle	Weatherford
Matthews	White
Mills	Whitesides
Montgomery	Winfree
Moore	

Absent

Bean	Parker
Dickson of Bexar	Pevehouse
Hartzog	Smith of Bastrop
King	

Absent—Excused

Harris of Dallas	Martin
Howard	

HOUSE BILL NO. 445 ON
SECOND READING

Mr. Gilmer moved that the necessary Rules be suspended for the purpose of taking up and considering, at this time, House Bill No. 445.

The motion prevailed.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 445, A bill to be entitled "An Act validating all proceedings prior to February 10th, 1941, by the Boards of Trustees of independent school districts of the State of Texas authorizing the issuance of bonds of such districts in the amount of not exceeding Twenty-five Thousand (\$25,000.00) Dollars, bearing interest at a rate of not exceeding three and one-half per centum (3½%) per annum, payable annually or semiannually, and maturing serially over a period of not exceeding twenty (20) years from their date, for the purpose of constructing and equipping public free school stadia within such districts; validating the tax levies made for the payment of such bonds; validating all such bonds authorized prior to February 10th, 1941, and which have been approved by the Attorney General, registered by the Comptroller, and sold prior to the effective date of this Act; enacting provisions incident thereto; providing a saving clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 445 ON
THIRD READING

Mr. Gilmer moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 445 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—139

Allen	Bullock
Allison	Bundy
Alsup	Burkett
Anderson	Burnaman
Avant	Carlton
Bailey	Carrington
Baker	Cato
Bean	Celaya
Bell	Chambers
Benton	Clark
Blankenship	Cleveland
Boone	Coker
Brawner	Colson, Mrs.
Bray	Connelly
Bridgers	Craig
Brown	Crossley
Bruhl	Crothwait

Daniel	McDonald
Davis	McGlasson
Deen	McLellan
Dickson of Nolan	McMurry
Dove	McNamara
Duckett	Manford
Ellis	Manning
Eubank	Markle
Evans	Matthews
Favors	Mills
Ferguson	Montgomery
Files	Moore
Fitzgerald	Morgan
Fuchs	Morris
Gandy	Morse
Garland	Murray
Gilmer	Nicholson
Goodman	Pace
Hanna	Parker
Hardeman	Pevehouse
Hargis	Phillips
Hartzog	Price
Heflin	Rampy
Helpinstill	Reed of Bowie
Henderson	Reed of Dallas
Hileman	Ridgeway
Hobbs	Roark
Howington	Roberts
Hoyo	Rhodes
Huddleston	Sallas
Huffman	Sharpe
Hughes	Shell
Humphrey	Simpson
Hutchinson	Skiles
Isaacks	Smith of Bastrop
Jones	Smith of Atascosa
Kelly	Spacek
Kennedy	Spangler
Kersey	Stanford
Kinard	Stinson
Klingeman	Stubbs
Knight	Taylor
Lansberry	Thornton
Lehman	Turner
Leyendecker	Vale
Little	Voigt
Lock	Walters
Love	Wattner
Lowry	Weatherford
Lucas	White
Lyle	Whitesides
McAlister	Winfree
McCann	

Absent

Dickson of Bexar	Harris of Hill
Donald	King
Dwyer	Senterfitt
Halsey	

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 445 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—139

Allen	Hargis
Allison	Hartzog
Alsup	Heflin
Anderson	Helpinstill
Avant	Henderson
Bailey	Hileman
Baker	Hobbs
Bean	Howington
Bell	Hoyo
Benton	Huddleston
Blankenship	Huffman
Boone	Hughes
Brawner	Humphrey
Bray	Hutchinson
Bridgers	Isaacks
Brown	Jones
Bruhl	Kelly
Bullock	Kennedy
Bundy	Kersey
Burkett	Kinard
Burnaman	Klingeman
Carlton	Knight
Carrington	Lansberry
Cato	Lehman
Celaya	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McAlister
Crossley	McCann
Crosthwait	McDonald
Daniel	McGlasson
Davis	McLellan
Deen	McMurry
Dickson of Nolan	McNamara
Dove	Manford
Duckett	Manning
Ellis	Markle
Eubank	Matthews
Evans	Mills
Favors	Montgomery
Ferguson	Moore
Files	Morgan
Fitzgerald	Morris
Fuchs	Morse
Gandy	Murray
Garland	Nicholson
Gilmer	Pace
Goodman	Parker
Hanna	Pevehouse
Hardeman	Phillips

Price	Spangler
Rampy	Stanford
Reed of Bowie	Stinson
Reed of Dallas	Stubbs
Ridgeway	Taylor
Roark	Thornton
Roberts	Turner
Rhodes	Vale
Sallas	Voigt
Sharpe	Walters
Shell	Wattner
Simpson	Weatherford
Skiles	White
Smith of Bastrop	Whitesides
Smith of Atascosa	Winfree
Spacek	

Absent

Dickson of Bexar	Harris of Hill
Donald	King
Dwyer	Senterfitt
Halsey	

Absent—Excused

Harris of Dallas	Martin
Howard	

CONSIDERATION OF HOUSE
JOINT RESOLUTION
NO. 2

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. J. R. No. 2, Proposing an amendment to Section 9 of Article 8 of the Constitution of the State of Texas, by providing that counties may levy, assess and collect such taxes as may be authorized by law but not to exceed eighty cents on the one hundred dollars valuation in any one year; providing such limitation shall not apply to payment of county debts incurred prior to January 1, 1941; providing that, except as otherwise provided in the Constitution, no county shall hereafter become indebted for any purpose to an amount, including existing indebtedness, payable from taxes authorized by said section, in the aggregate exceeding five per centum of the value of taxable property therein, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness; providing that this section shall not be construed as a limitation on powers delegated to counties by any other section of

this Constitution; fixing the time for the election for the adoption or rejection of said proposed constitutional amendment; making certain provisions for said election and ballots thereof, and the method thereof; directing the issuance of proclamation therefor; prescribing certain duties of the Governor of the State of Texas; and making an appropriation to defray the expenses of said election.

The resolution having been read second time on yesterday.

Mr. Crosthwait offered the following committee amendment to the resolution:

Amend House Joint Resolution No. 2, Section 1, by substituting a period (.) for a semicolon (;) after the word "valuation," in line No. 10, of the second paragraph, and add the following:

"The Legislature shall also authorize an additional annual ad valorem tax to be levied and collected for the further maintenance of the public roads; provided, that a majority of the qualified property tax-paying voters of the county voting at an election to be held for that purpose shall vote such tax, not to exceed fifteen cents on the one hundred dollars valuation of the property subject to taxation in such county."

(Pending consideration of the resolution, Mr. Kennedy occupied the Chair temporarily.)

(Speaker in the Chair.)

Question: Shall the committee amendment be adopted?

HOUSE BILL NO. 338 ON SECOND
READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 338, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to construct or acquire, and equip not more than six dormitories, an office building, and additional power and steam

plant equipment, authorizing and requiring said Board to fix fees and charges for the use of such buildings and to make parietal rules concerning the same; authorizing the issuance of negotiable revenue bonds payable from and secured by revenues from such buildings and of certain other buildings heretofore or hereafter constructed or acquired; authorizing said Board to furnish to certain buildings water, steam, power and electricity from the plant owned by the institution, to charge for such services as a part of the maintenance and operation expense of such buildings and to issue negotiable revenue bonds secured by and payable from the net revenues from such charges for the purpose of constructing or acquiring additional equipment for such plant, and additionally to secure such revenue bonds by pledging the net revenues from other specified buildings; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 338 ON THIRD READING

Mr. McDonald moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 338 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Allen	Colson, Mrs.
Allison	Connelly
Anderson	Crossley
Avant	Daniel
Baker	Davis
Bell	Dickson of Nolan
Blankenship	Dove
Brown	Duckett
Bruhl	Dwyer
Bullock	Ellis
Bundy	Eubank
Burnaman	Evans
Carrington	Ferguson
Cato	Files
Celaya	Fitzgerald
Chambers	Fuchs
Clark	Gandy
Cleveland	Halsey
Coker	Hanna

Hardeman
Heflin
Helpinstill
Hileman
Hoyo
Huddleston
Hughes
Hutchinson
Isaacks
Jones
Kelly
Kersey
Kinard
King
Klingeman
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McMurry
McNamara
Manford
Manning
Markle
Matthews

Montgomery
Moore
Morgan
Morris
Morse
Pace
Phillips
Reed of Bowie
Reed of Dallas
Ridgeway
Roark
Roberts
Rhodes
Sallas
Senterfitt
Sharpe
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Taylor
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—22

Alsup	Hobbs
Bailey	Howington
Bean	Kennedy
Burkett	Knight
Carlton	McLellan
Craig	Mills
Deen	Murray
Donald	Nicholson
Favors	Parker
Garland	Rampy
Harris of Hill	Thornton

Present—Not Voting

Brawner

Absent

Benton	Hartzog
Boone	Henderson
Bray	Huffman
Bridgers	Humphrey
Crosthwait	Pevehouse
Dickson of Bexar	Price
Gilmer	Stubbs
Goodman	Turner
Hargis	

Absent—Excused

Harris of Dallas Martin
Howard

The Speaker then laid House Bill No. 338 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106

Allen	Hutchinson
Allison	Isaacks
Anderson	Jones
Avant	Kelly
Baker	Kersey
Bell	Kinard
Blankenship	King
Bray	Klingeman
Bridgers	Lansberry
Brown	Lehman
Bruhl	Leyendecker
Bullock	Little
Bundy	Lock
Burnaman	Love
Carlton	Lowry
Carrington	Lucas
Cato	Lyle
Celaya	McAlister
Chambers	McCann
Clark	McDonald
Cleveland	McGlasson
Coker	McMurry
Colson, Mrs.	McNamara
Connelly	Manford
Daniel	Manning
Davis	Markle
Dickson of Nolan	Montgomery
Dove	Morgan
Duckett	Morris
Dwyer	Morse
Ellis	Pace
Eubank	Phillips
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Roberts
Gandy	Rhodes
Halsey	Sallas
Hanna	Senterfitt
Hardeman	Sharpe
Hargis	Shell
Harris of Hill	Simpson
Hartzog	Skiles
Heflin	Smith of Bastrop
Helpinstill	Smith of Atascosa
Hileman	Spacek
Hoyo	Spangler
Huddleston	Stanford
Hughes	Taylor

Vale
Voigt
Walters
Wattner

Weatherford
White
Whitesides
Winfree

Nays—19

Alsup	Knight
Bailey	McLellan
Burkett	Matthews
Craig	Mills
Deen	Moore
Donald	Murray
Garland	Parker
Hobbs	Rampy
Howington	Thornton
Kennedy	

Present—Not Voting

Brawner

Absent

Bean	Henderson
Benton	Huffman
Boone	Humphrey
Crossley	Nicholson
Crothwait	Pevehouse
Dickson of Bexar	Price
Evans	Roark
Favors	Stinson
Gilmer	Stubbs
Goodman	Turner

Absent—Excused

Harris of Dallas Martin
Howard

Mr. McDonald moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 211 ON FINAL PASSAGE

The Speaker laid before the House as postponed business on its final passage,

H. B. No. 211, A bill to be entitled "An Act amending Article 6008 of the Revised Civil Statutes of Texas, as amended by Chapter 120, Acts of the Forty-fourth Legislature, Regular Session, providing for the use of sweet and other natural gas under certain conditions for the manufacture of carbon black; and declaring an emergency."

The bill having heretofore been read third time.

House Bill No. 211 was then passed by the following vote:

Yeas—120

Allen	Kelly
Allison	Kennedy
Alsup	Kersey
Avant	Kinard
Bailey	Klingeman
Baker	Lansberry
Bean	Lehman
Blankenship	Leyendecker
Bray	Little
Bridgers	Lock
Brown	Love
Bruhl	Lowry
Bullock	Lucas
Bundy	Lyle
Burkett	McAlister
Burnaman	McCann
Carlton	McDonald
Carrington	McGlasson
Cato	McLellan
Celaya	McMurry
Chambers	McNamara
Clark	Manning
Cleveland	Markle
Coker	Matthews
Colson, Mrs.	Mills
Connelly	Montgomery
Craig	Morgan
Daniel	Morris
Davis	Morse
Deen	Murray
Dove	Nicholson
Duckett	Pace
Ellis	Parker
Eubank	Phillips
Evans	Price
Favors	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Roark
Gandy	Roberts
Halsey	Rhodes
Hanna	Sallas
Hargis	Senterfitt
Harris of Hill	Sharpe
Hartzog	Shell
Heflin	Skiles
Helpinstill	Simpson
Henderson	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Spacek
Howington	Stanford
Hoyo	Stubbs
Huddleston	Taylor
Hughes	Thornton
Humphrey	Vale
Jones	Voigt

Walters
Wattner
Weatherford

White
Whitesides
Winfree

Nays—6

Anderson	Garland
Benton	Knight
Donald	Moore

Absent

Bell	Hardeman
Boone	Huffman
Brawner	Hutchinson
Crossley	Isaacks
Crosthwait	King
Dickson of Bexar	Manford
Dickson of Nolan	Pevehouse
Dwyer	Spangler
Gilmer	Stinson
Goodman	Turner

Absent—Excused

Harris of Dallas	Martin
Howard	

SENATE BILL NO. 129 ON SECOND READING

Mr. McAlister moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 129 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Allen	Cleveland
Allison	Coker
Avant	Colson, Mrs.
Bailey	Connelly
Baker	Craig
Bean	Daniel
Benton	Davis
Blankenship	Deen
Boone	Donald
Brawner	Dove
Bray	Duckett
Bridgers	Dwyer
Brown	Ellis
Bruhl	Eubank
Bullock	Favors
Burkett	Ferguson
Burnaman	Files
Carlton	Fitzgerald
Carrington	Fuchs
Cato	Gandy
Clark	Garland

Goodman	Matthews
Halsey	Mills
Hanna	Montgomery
Hargis	Moore
Harris of Hill	Morgan
Helpinstill	Morris
Henderson	Morse
Hileman	Murray
Hobbs	Nicholson
Howington	Pace
Hoyo	Parker
Huddleston	Phillips
Huffman	Price
Hughes	Rampy
Humphrey	Reed of Bowie
Hutchinson	Reed of Dallas
Jones	Ridgeway
Kelly	Roark
Kennedy	Roberts
Kersey	Rhodes
Kinard	Senterfitt
Klingeman	Sharpe
Knight	Shell
Lehman	Simpson
Leyendecker	Skiles
Little	Smith of Bastrop
Lock	Smith of Atascosa
Love	Spacek
Lowry	Spangler
Lucas	Taylor
McAlister	Thornton
McCann	Vale
McDonald	Voigt
McGlasson	Walters
McLellan	Wattner
McMurry	Weatherford
McNamara	White
Manning	Whitesides
Markle	Winfree

Absent

Alsup	Hartzog
Anderson	Heflin
Bell	Isaacks
Bundy	King
Celaya	Lansberry
Chambers	Lyle
Crossley	Manford
Crosthwait	Pevehouse
Dickson of Bexar	Sallas
Dickson of Nolan	Stanford
Evans	Stinson
Gilmer	Stubbs
Hardeman	Turner

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 129, A bill to be entitled "An Act amending House Bill No. 704, passed at the Regular Session of the 44th Legislature, etc., and declaring an emergency."

The bill was read second time.

Mr. Bundy offered the following amendment to the bill:

Amend population bracket to 40,000 and above.

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 129 was then passed to third reading.

SENATE BILL NO. 129 ON THIRD READING

The Speaker then laid Senate Bill No. 129 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—126

Allen	Deen
Allison	Dickson of Nolan
Alsup	Donald
Avant	Dove
Bailey	Duckett
Baker	Dwyer
Bell	Ellis
Benton	Eubank
Blankenship	Evans
Brawner	Ferguson
Bray	Files
Bridgers	Fitzgerald
Brown	Fuchs
Bruhl	Garland
Bullock	Halsey
Bundy	Hanna
Burkett	Hargis
Carrington	Harris of Hill
Cato	Hartzog
Celaya	Heflin
Chambers	Helpinstill
Clark	Henderson
Cleveland	Hileman
Coker	Hobbs
Colson, Mrs.	Howington
Connelly	Hoyo
Craig	Huddleston
Daniel	Huffman
Davis	Hughes

Humphrey	Nicholson
Hutchinson	Pace
Isaacks	Parker
Jones	Pevehouse
Kelly	Phillips
Kennedy	Price
Kersey	Rampy
Kinard	Reed of Bowie
Klingeman	Reed of Dallas
Knight	Ridgeway
Lansberry	Roark
Lehman	Roberts
Little	Rhodes
Lock	Sallas
Love	Senterfitt
Lowry	Sharpe
Lucas	Simpson
Lyle	Skiles
McAlister	Smith of Bastrop
McCann	Smith of Atascosa
McDonald	Spacek
McGlasson	Stanford
McLellan	Stubbs
McMurry	Taylor
McNamara	Thornton
Manning	Turner
Markle	Vale
Matthews	Voigt
Mills	Walters
Montgomery	Wattner
Moore	Weatherford
Morgan	White
Morse	Whitesides
Murray	Winfree

Absent

Anderson	Gilmer
Bean	Goodman
Boone	Hardeman
Burnaman	King
Carlton	Leyendecker
Crossley	Manford
Crosthwait	Morris
Dickson of Bexar	Shell
Favors	Spangler
Gandy	Stinson

Absent—Excused

Harris of Dallas	Martin
Howard	

HOUSE BILL NO. 80 ON PASSAGE
TO ENGROSSMENT

The Speaker laid before the House as postponed business, on its passage to engrossment,

H. B. No. 80, A bill to be entitled "An Act providing for the employment in all counties having a population of not less than three hundred

and twenty thousand (320,000) nor more than three hundred and fifty thousand (350,000), according to the last preceding Federal Census, of two (2) rural school supervisors; prescribing the qualifications and duties of said supervisors and defining their powers; providing the compensation to be paid to such supervisors and the method of paying same; providing the County Board of School Trustees shall have the power to discontinue the office of such supervisors whenever advisable; providing that in compliance with this Act in any of the counties affected hereby shall exempt the County Superintendent from holding a Teachers Institute, and shall exempt the teachers from attending Teachers Institute, as now required by Article 2691, Revised Civil Statutes, of Texas, 1925, as amended, and declaring an emergency."

The bill having heretofore been read second time.

House Bill No. 80 was then passed to engrossment.

HOUSE BILL NO. 80 ON THIRD
READING

Mr. Hoyo moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 80 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—127

Allen	Carlton
Allison	Carrington
Alsup	Cato
Avant	Celaya
Bailey	Clark
Baker	Cleveland
Bell	Coker
Benton	Colson, Mrs.
Blankenship	Connolly
Boone	Craig
Brawner	Crossley
Bray	Daniel
Bridgers	Deen
Brown	Dickson of Nolan
Bruhl	Donald
Bullock	Dove
Bundy	Duckett
Burkett	Dwyer

Ellis	McGlasson
Eubank	McLellan
Evans	McNamara
Favors	Markle
Ferguson	Matthews
Files	Mills
Fitzgerald	Montgomery
Fuchs	Moore
Garland	Morris
Goodman	Morse
Halsey	Murray
Hanna	Nicholson
Hardeman	Pace
Hargis	Parker
Harris of Hill	Pevehouse
Hartzog	Phillips
Heflin	Price
Helpinstill	Rampy
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Hobbs	Ridgeway
Howington	Roark
Hoyo	Roberts
Huddleston	Rhodes
Huffman	Senterfitt
Hughes	Sharpe
Humphrey	Shell
Hutchinson	Simpson
Isaacks	Skiles
Jones	Smith of Bastrop
Kelly	Smith of Atascosa
Kennedy	Spacek
Kersey	Spangler
Kinard	Stanford
Klingeman	Stubbs
Knight	Taylor
Lansberry	Thornton
Lehman	Vale
Little	Voigt
Lock	Walters
Love	Wattner
Lowry	Weatherford
Lucas	White
McAlister	Whitesides
McCann	Winfree
McDonald	

Absent

Anderson	Leyendecker
Bean	Lyle
Burnaman	McMurry
Chambers	Manford
Crothwait	Manning
Davis	Morgan
Dickson of Bexar	Sallas
Gandy	Stinson
Gilmer	Turner
King	

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 80 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—127

Allen	Henderson
Allison	Hileman
Alsup	Hobbs
Avant	Howington
Bailey	Hoyo
Baker	Huddleston
Bell	Huffman
Benton	Hughes
Blankenship	Humphrey
Boone	Hutchinson
Brawner	Isaacks
Bray	Jones
Bridgers	Kelly
Brown	Kennedy
Bruhl	Kersey
Bullock	Kinard
Bundy	Klingeman
Burkett	Knight
Carlton	Lansberry
Carrington	Lehman
Cato	Little
Celaya	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	McAlister
Connelly	McCann
Craig	McDonald
Crossley	McGlasson
Daniel	McLellan
Deen	McNamara
Dickson of Nolan	Markle
Donald	Matthews
Dove	Mills
Duckett	Montgomery
Dwyer	Moore
Ellis	Morris
Eubank	Morse
Evans	Murray
Favors	Nicholson
Ferguson	Pace
Files	Parker
Fitzgerald	Pevehouse
Fuchs	Phillips
Garland	Price
Goodman	Rampy
Halsey	Reed of Bowie
Hanna	Reed of Dallas
Hardeman	Ridgeway
Hargis	Roark
Harris of Hill	Roberts
Hartzog	Rhodes
Heflin	Senterfitt
Helpinstill	Sharpe

Shell	Thornton
Simpson	Vale
Skiles	Voigt
Smith of Bastrop	Walters
Smith of Atascosa	Wattner
Spacek	Weatherford
Spangler	White
Stanford	Whitesides
Stubbs	Winfree
Taylor	

Absent

Anderson	Leyendecker
Bean	Lyle
Burnaman	McMurry
Chambers	Manford
Crothwait	Manning
Davis	Morgan
Dickson of Bexar	Sallas
Gandy	Stinson
Gilmer	Turner
King	

Absent—Excused

Harris of Dallas	Martin
Howard	

Mr. Ridgeway moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 5 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 5, A bill to be entitled "An Act defining Industrial Life Insurance; forbidding the delivery or issuance for delivery of any policy of Industrial Life Insurance, unless it shall contain certain provisions, and making said provisions subject to certain exceptions; securing to insureds and beneficiaries under policies previously issued, the right to select, under certain circumstances, extended or paid-up insurance and providing for the automatic selection of extended insurance in the event such insureds or beneficiaries fail to make a selection; designating additional optional provisions to be contained in policies of Industrial Life Insurance; forbidding the inclusion of certain provisions in Industrial Life Insurance policies; etc.; and declaring an emergency."

The bill was read second time.

Mr. Morse offered the following committee amendment to the bill:

Amend by striking out Section 7 in its entirety and inserting in lieu thereof the following:

"Sec. 7. This Act shall not apply to Local Mutual Aid Associations or State-wide Mutual Life, Health and Accident Companies and Burial Associations operating under Senate Bill No. 135, Acts of the Regular Session of the Forty-sixth Legislature, but this Act and no other shall apply to and govern the form and content of Industrial Life Insurance policies, as they are defined herein, issued by all other insurance companies."

CARRINGTON.

The amendment was adopted.

Mr. Morse offered the following committee amendment to the bill:

"Sec. 7-A. Nothing contained in this Act shall be so construed as to affect or apply to orders, societies, associations or labor organizations which admit to membership only persons engaged in one or more crafts or hazardous occupations in the same or similar lines of business, and who do not operate for profit; nor shall this Act apply to the ladies' societies or ladies' auxiliary to such orders, societies, associations or labor organizations."

The amendment was adopted.

Mr. Morse offered the following amendment to the bill:

Amend House Bill No. 5 by striking out all above enacting clause and inserting in lieu thereof the following:

"An Act defining industrial life insurance; forbidding the delivery or issuance for delivery of any policy of industrial life insurance, unless it shall contain certain provisions, and making said provisions subject to certain exceptions; securing to insureds and beneficiaries under policies previously issued, the right to select, under certain circumstances, extended or paid-up insurance and providing for the automatic selection of extended insurance in the event such insureds or beneficiaries fail to make a selection; designating additional optional pro-

visions to be contained in policies of industrial life insurance; forbidding the inclusion of certain provisions in industrial life insurance policies; requiring approval of the Board of Insurance Commissioners of all policies of industrial life insurance including such policies which provide for accident and health benefits in addition to natural death benefits, and all riders and endorsements before same can be delivered or issued for delivery; requiring written notice in case of disapproval of any policy, rider or endorsement; providing for an appeal from the decision of the Board; exempting local mutual aid associations and State-wide mutual life, health and accident companies, burial associations and orders, societies, associations or labor organizations, which admit to membership only persons engaged in one or more crafts or hazardous occupations in the same or similar lines of business and who do not operate for profit; also exempting ladies' societies or ladies' auxiliaries to such orders, societies, associations or labor organizations; providing that this Act and no other shall apply to and govern the form and content of industrial life insurance policies issued by all other companies; providing that upon proper showing to the Board of Insurance Commissioners of inability of an insurer to comply with this Act immediately upon the same becoming effective, such insurer may at the discretion of the Board have sixty days from and after the effective date of this Act in which to make full compliance with its provisions; providing for the severability of the provisions of this Act; and declaring an emergency."

The amendment was adopted.

House Bill No. 5 was then passed to engrossment.

HOUSE BILL NO. 5 ON THIRD READING

Mr. Morse moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 5 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allen	Kelly
Allison	Kennedy
Alsup	Kinard
Avant	Klingeman
Bailey	Knight
Baker	Lansberry
Bell	Lehman
Benton	Leyendecker
Boone	Little
Brawner	Lock
Bray	Love
Bridgers	Lowry
Brown	Lucas
Bruhl	Lyle
Bullock	McAlister
Bundy	McCann
Burkett	McDonald
Burnaman	McGlasson
Carlton	McNamara
Carrington	Manford
Cato	Manning
Celaya	Markle
Cleveland	Matthews
Coker	Mills
Colson, Mrs.	Montgomery
Connelly	Moore
Crossley	Morgan
Daniel	Morris
Davis	Morse
Deen	Murray
Dickson of Nolan	Nicholson
Dove	Pace
Duckett	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Favors	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Roark
Garland	Roberts
Goodman	Rhodes
Halsey	Sallas
Hanna	Sharpe
Hargis	Shell
Harris of Hill	Skiles
Hartzog	Smith of Bastrop
Heflin	Smith of Atascosa
Helpinstill	Spacek
Henderson	Spangler
Hileman	Stanford
Howington	Stubbs
Hoyo	Taylor
Huddleston	Thornton
Huffman	Vale
Hughes	Voigt
Humphrey	Walters
Hutchinson	Wattner
Jones	Weatherford

White
Whitesides

Winfree

Nays—4

Clark
Donald

Hardeman
Hobbs

Absent

Anderson
Bean
Blankenship
Chambers
Craig
Crosthwait
Dickson of Bexar
Dwyer
Gandy
Gilmer

Isaacks
Kersey
King
McLellan
McMurry
Senterfitt
Simpson
Stinson
Turner

Absent—Excused

Harris of Dallas
Howard

Martin

The Speaker then laid House Bill No. 5 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—125

Allen
Allison
Alsup
Anderson
Avant
Bailey
Baker
Bean
Bell
Benton
Blankenship
Boone
Brawner
Bray
Bridgers
Brown
Bruhl
Bullock
Bundy
Burkett
Burnaman
Carlton
Carrington
Cato
Celaya
Clark
Cleveland
Coker
Colson, Mrs.

Connelly
Crossley
Daniel
Davis
Deen
Dove
Duckett
Ellis
Eubank
Evans
Ferguson
Files
Fitzgerald
Fuchs
Garland
Goodman
Halsey
Hanna
Hargis
Harris of Hill
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Howington
Hoyo
Huddleston
Huffman

Hughes
Humphrey
Hutchinson
Jones
Kelly
Kennedy
Kersey
Kinard
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McNamara
Manford
Manning
Markle
Matthews
Mills
Montgomery
Moore
Morgan
Morris
Morse

Murray
Nicholson
Pace
Parker
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Roark
Roberts
Rhodes
Sallas
Senterfitt
Sharpe
Shell
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Spangler
Stanford
Stubbs
Taylor
Thornton
Vale
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—3

Donald
Hardeman

Hobbs

Absent

Chambers
Craig
Crosthwait
Dickson of Bexar
Dickson of Nolan
Dwyer
Favors
Gandy
Gilmer

Isaacks
King
McLellan
McMurry
Pevehouse
Simpson
Stinson
Turner
Voigt

Absent—Excused

Harris of Dallas
Howard

Martin

Mr. Brown moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 11 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 11, A bill to be entitled "An Act to amend Article 2746, Revised Civil Statutes, relative to payment of persons holding elections of local school trustees, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 11 ON
THIRD READING

Mr. Alsup moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 11 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allison	Daniel
Alsup	Deen
Anderson	Dickson of Nolan
Avant	Dove
Bailey	Duckett
Baker	Ellis
Bell	Eubank
Benton	Evans
Blankenship	Ferguson
Boone	Fitzgerald
Brawner	Fuchs
Bridgers	Garland
Brown	Goodman
Bruhl	Halsey
Bullock	Hanna
Bundy	Hardeman
Burkett	Hargis
Burnaman	Harris of Hill
Carlton	Hartzog
Carrington	Heflin
Cato	Helpinstill
Celaya	Henderson
Chambers	Hileman
Clark	Howington
Cleveland	Hoyo
Coker	Huffman
Colson, Mrs.	Humphrey
Connelly	Hutchinson
Craig	Jones
Crossley	Kelly

Kennedy
Kersey
King
Klingeman
Knight
Lansberry
Lehman
Leyendecker
Little
Lock
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McMurry
McNamara
Manford
Manning
Markle
Mills
Moore
Morgan
Morris
Morse
Murray
Nicholson

Pace
Parker
Pevehouse
Phillips
Reed of Bowie
Reed of Dallas
Ridgeway
Roberts
Rhodes
Sallas
Senterfitt
Sharpe
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spangler
Stanford
Stubbs
Taylor
Thornton
Turner
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—11

Allen	McLellan
Bray	Matthews
Files	Price
Hobbs	Rampy
Hughes	Spacek
Love	

Absent

Bean	Huddleston
Crothwait	Isaacks
Davis	Kinard
Dickson of Bexar	Montgomery
Donald	Roark
Dwyer	Stinson
Favors	Vale
Gandy	Voigt
Gilmer	

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 11 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—88

Allison	Kersey
Alsup	King
Avant	Klingeman
Baker	Lehman
Benton	Leyendecker
Blankenship	Little
Boone	Lowry
Brawner	Lucas
Bridgers	McAlister
Brown	McCann
Bruhl	McGlasson
Bullock	McMurry
Bundy	McNamara
Burkett	Manford
Burnaman	Manning
Carrington	Markle
Cato	Mills
Celaya	Moore
Chambers	Morse
Clark	Murray
Cleveland	Nicholson
Coker	Parker
Connelly	Phillips
Crossley	Reed of Bowie
Daniel	Reed of Dallas
Davis	Ridgeway
Deen	Roberts
Dickson of Nolan	Rhodes
Dove	Sallas
Duckett	Simpson
Ellis	Skiles
Eubank	Smith of Bastrop
Evans	Smith of Atascosa
Ferguson	Spangler
Fuchs	Stanford
Halsey	Stubbs
Hanna	Taylor
Hargis	Thornton
Harris of Hill	Turner
Henderson	Voigt
Howington	Weatherford
Hoyo	White
Huffman	Whitesides
Hutchinson	Winfree

Nays—32

Allen	Jones
Bailey	Kennedy
Bray	Knight
Carlton	Lansberry
Craig	Lock
Favors	Love
Files	Lyle
Fitzgerald	McLellan
Hardeman	Matthews
Heflin	Morris
Hileman	Pace
Hobbs	Price
Hughes	Rampy
Humphrey	Senterfitt

Shell
SpacekWalters
Wattner

Absent

Anderson	Helpinstill
Bean	Huddleston
Bell	Isaacks
Colson, Mrs.	Kelly
Crosthwait	Kinard
Dickson of Bexar	McDonald
Donald	Montgomery
Dwyer	Morgan
Gandy	Pevehouse
Garland	Roark
Gilmer	Sharpe
Goodman	Stinson
Hartzog	Vale

Absent—Excused

Harris of Dallas Martin
HowardHOUSE BILL NO. 26 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 26, A bill to be entitled "An Act to amend Section 6A of Chapter 36, of the General Laws of the 43rd Legislature, Third Called Session, and declaring an emergency."

The bill was read second time.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 26 was then passed to engrossment.

HOUSE BILL NO. 26 ON
THIRD READING

Mr. Alsup moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 26 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen	Anderson
Allison	Avant
Alsup	Bailey

Baker	Kinard
Bean	King
Bell	Klingeman
Benton	Lansberry
Blankenship	Lehman
Boone	Leyendecker
Brawner	Little
Bridgers	Lock
Brown	Love
Bruhl	Lowry
Bullock	Lyle
Bundy	McAlister
Burkett	McCann
Burnaman	McGlasson
Carlton	McMurry
Carrington	McNamara
Cato	Manford
Celaya	Manning
Chambers	Markle
Clark	Mills
Cleveland	Montgomery
Coker	Moore
Colson, Mrs.	Morgan
Connelly	Morse
Daniel	Murray
Davis	Nicholson
Deen	Parker
Dickson of Nolan	Pevehouse
Dove	Phillips
Duckett	Price
Ellis	Reed of Bowie
Eubank	Reed of Dallas
Evans	Ridgeway
Ferguson	Roberts
Files	Rhodes
Fitzgerald	Sallas
Fuchs	Senterfitt
Garland	Shell
Goodman	Simpson
Halsey	Skiles
Hargis	Smith of Bastrop
Harris of Hill	Smith of Atascosa
Hartzog	Spacek
Heflin	Spangler
Helpinstill	Stanford
Henderson	Stubbs
Hileman	Taylor
Hobbs	Thornton
Howington	Turner
Hoyo	Vale
Huddleston	Voigt
Huffman	Wattner
Hughes	Weatherford
Humphrey	White
Hutchinson	Whitesides
Jones	Winfree

Nays—14

Bray	Kelly
Craig	Kennedy
Crosthwait	Kersey
Hardeman	Knight

Lucas	Pace
McLellan	Rampy
Matthews	Walters

Absent

Crossley	Hanna
Dickson of Bexar	Isaacks
Donald	McDonald
Dwyer	Morris
Favors	Roark
Gandy	Sharpe
Gilmer	Stinson

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 26 before the House on third reading and final passage.

The bill was read third time and was passed.

Mr. Lansberry moved to reconsider the vote by which House Bill No. 26 was passed.

The motion to reconsider prevailed.

Question: Shall House Bill No. 26 be passed?

House Bill No. 26 was passed by the following vote:

Yeas—97

Allen	Crossley
Allison	Daniel
Alsup	Davis
Anderson	Deen
Avant	Dickson of Nolan
Bailey	Dove
Baker	Duckett
Bean	Dwyer
Blankenship	Ellis
Boone	Evans
Brawner	Favors
Bridgers	Ferguson
Brown	Fuchs
Bullock	Garland
Bundy	Goodman
Burkett	Halsey
Burnaman	Hargis
Carrington	Hartzog
Cato	Helpinstill
Celaya	Henderson
Chambers	Hileman
Cleveland	Howington
Coker	Hoyo
Connelly	Huddleston

Huffman	Reed of Bowie
Hughes	Reed of Dallas
Hutchinson	Ridgeway
Jones	Roark
Kinard	Roberts
King	Rhodes
Klingeman	Sallas
Lehman	Senterfitt
Little	Sharpe
Love	Simpson
McAlister	Smith of Bastrop
McCann	Smith of Atascosa
McDonald	Stanford
McGlasson	Stubbs
McNamara	Taylor
Manford	Thornton
Manning	Turner
Mills	Vale
Montgomery	Voigt
Moore	Wattner
Morgan	Weatherford
Morse	White
Murray	Whitesides
Phillips	Winfree
Price	

Nays—33

Benton	Knight
Bray	Lansberry
Bruhl	Lock
Carlton	Lucas
Clark	Lyle
Craig	McLellan
Crothwait	McMurry
Eubank	Markle
Files	Matthews
Fitzgerald	Morris
Hardeman	Pace
Harris of Hill	Parker
Hobbs	Rampy
Humphrey	Skiles
Kelly	Spacek
Kennedy	Walters
Kersey	

Absent

Bell	Isaacks
Colson, Mrs.	Leyendecker
Dickson of Bexar	Lowry
Donald	Nicholson
Gandy	Pevehouse
Gilmer	Shell
Hanna	Spangler
Heflin	Stinson

Absent—Excused

Harris of Dallas	Martin
Howard	

Mr. Alsup moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 51 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 51, A bill to be entitled "An Act to amend Article 4766, Revised Civil Statutes of 1925, as amended by Acts of 1937, Forty-fifth Legislature, page 419, Chapter 214, Section 1, so as to provide that the term 'Texas Securities' as used in Title 78, Chapter 4, of the Revised Statutes of 1925 shall include promissory notes and other obligations, payment of which is secured by a mortgage, deed of trust or other valid lien upon unencumbered real estate situated in the State of Texas, the title to which real estate is valid and the market value of which is forty (40%) per cent more than the amount loaned thereon, and also to include first liens upon leasehold estate in real property and improvements thereon, the title to which is valid and the leasehold on which has not less than thirty (30) years to run before expiration, provided that the duration of any loan upon such leasehold estate shall not exceed a period of ten (10) years; and declaring an emergency."

The bill was read second time.

Mr. Blankenship offered the following committee amendment to the bill:

Amend H. B. 51 by adding in Section 1 after the word "thereon", and before the word "or", the following: "Exclusive of buildings unless such buildings are insured against fire and kept insured in some company authorized to transact business in the State of Texas, and the policy or policies transferred to the company taking such mortgage or lien."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 51 was then passed to engrossment.

HOUSE BILL NO. 51 ON THIRD
READING

Mr. Blankenship moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Allen	Heflin
Allison	Helpinstill
Alsup	Henderson
Anderson	Hileman
Avant	Howington
Bailey	Hoyo
Baker	Huddleston
Bell	Huffman
Benton	Hughes
Blankenship	Humphrey
Boone	Hutchinson
Brawner	Isaacks
Bray	Jones
Bridgers	Kelly
Brown	Kennedy
Bullock	Kersey
Bundy	Kinard
Burkett	King
Burnaman	Klingeman
Carlton	Knight
Carrington	Lansberry
Cato	Lehman
Celaya	Leyendecker
Chambers	Little
Clark	Lock
Cleveland	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McAlister
Crossley	McCann
Crothwait	McGlasson
Daniel	McMurry
Davis	McNamara
Deen	Manford
Dickson of Nolan	Manning
Dove	Markle
Ellis	Matthews
Eubank	Mills
Evans	Montgomery
Ferguson	Morgan
Fitzgerald	Morris
Fuchs	Morse
Garland	Murray
Goodman	Pace
Halsey	Parker
Hargis	Phillips
Harris of Hill	Price

Rampy	Spangler
Reed of Bowie	Stanford
Reed of Dallas	Stubbs
Ridgeway	Taylor
Roark	Thornton
Roberts	Turner
Sallas	Walters
Senterfitt	Wattner
Sharpe	Weatherford
Simpson	White
Skiles	Whitesides
Smith of Atascosa	Winfree
Spacek	

Nays—2

Hardeman	Rhodes
	Absent
Bean	Hobbs
Bruhl	McDonald
Dickson of Bexar	McLellan
Donald	Moore
Duckett	Nicholson
Dwyer	Pevehouse
Favors	Shell
Files	Smith of Bastrop
Gandy	Stinson
Gilmer	Vale
Hanna	Voigt
Hartzog	

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 51 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—124

Allen	Burkett
Allison	Burnaman
Alsup	Carlton
Anderson	Carrington
Avant	Cato
Bailey	Celaya
Baker	Chambers
Bean	Clark
Bell	Cleveland
Benton	Coker
Blankenship	Colson, Mrs.
Boone	Connelly
Brawner	Craig
Bray	Crossley
Bridgers	Crothwait
Brown	Daniel
Bruhl	Davis
Bullock	Deen
Bundy	Dickson of Nolan

Dove	McCann
Duckett	McGlasson
Dwyer	McMurry
Ellis	McNamara
Eubank	Manford
Evans	Markle
Favors	Matthews
Ferguson	Mills
Fitzgerald	Montgomery
Fuchs	Moore
Garland	Morgan
Goodman	Morris
Halsey	Morse
Hargis	Pace
Harris of Hill	Parker
Hartzog	Pevehouse
Heflin	Phillips
Helpinstill	Price
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Howington	Ridgeway
Hoyo	Roark
Huddleston	Roberts
Huffman	Sallas
Hughes	Senterfitt
Humphrey	Sharpe
Hutchinson	Simpson
Jones	Smith of Bastrop
Kelly	Smith of Atascosa
Kennedy	Spacek
Kersey	Stanford
Kinard	Stinson
King	Stubbs
Klingeman	Taylor
Knight	Thornton
Lansberry	Turner
Lehman	Voigt
Little	Walters
Lock	Wattner
Lowry	Weatherford
Lucas	White
Lyle	Whitesides
McAlister	Winfree

Nays—4

Hardeman	Rampy
Love	Rhodes

Absent

Dickson of Bexar	McDonald
Donald	McLellan
Files	Manning
Gandy	Murray
Gilmer	Nicholson
Hanna	Shell
Hobbs	Skiles
Isaacks	Spangler
Leyendecker	Vale

Absent—Excused

Harris of Dallas	Martin
Howard	

HOUSE BILL NO. 291 ON SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 291, A bill to be entitled "An Act relating to the salaries of all State officers except those Constitutional State officers whose salaries are specifically fixed by the Constitution; specifically providing that the Legislature shall fix the amount of compensation to be paid clerks of the Courts of Civil Appeals, the Supreme Court and the Court of Criminal Appeals out of fees of office, and specifically repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 291 ON THIRD READING

Mr. Reed of Dallas moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 291 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—126

Allen	Celaya
Allison	Chambers
Alsup	Clark
Anderson	Cleveland
Avant	Coker
Bailey	Colson, Mrs.
Baker	Connelly
Bean	Craig
Bell	Crossley
Benton	Crothwait
Blankenship	Daniel
Boone	Davis
Brawner	Deen
Bray	Dickson of Nolan
Bridgers	Dove
Brown	Duckett
Bruhl	Ellis
Bullock	Eubank
Bundy	Evans
Burkett	Favors
Carrington	Ferguson
Cato	Fitzgerald

Fuchs	Manning
Garland	Markle
Goodman	Matthews
Halsey	Mills
Hardeman	Montgomery
Harris of Hill	Moore
Hartzog	Morgan
Heflin	Morris
Helpinstill	Morse
Henderson	Murray
Hileman	Pace
Hobbs	Parker
Howington	Price
Hoyo	Rampy
Huddleston	Reed of Bowie
Huffman	Reed of Dallas
Hughes	Ridgeway
Humphrey	Roark
Hutchinson	Roberts
Isaacks	Rhodes
Jones	Sallas
Kelly	Senterfitt
Kennedy	Sharpe
Kersey	Shell
Kinard	Simpson
King	Skiles
Klingeman	Smith of Bastrop
Knight	Smith of Atascosa
Lansberry	Spacek
Lehman	Stanford
Little	Stinson
Love	Stubbs
Lowry	Taylor
Lucas	Thornton
Lyle	Turner
McAlister	Voigt
McCann	Walters
McDonald	Wattner
McGlasson	Weatherford
McLellan	White
McNamara	Whitesides
Manford	Winfree

Absent

Burnaman	Hargis
Carlton	Leyendecker
Dickson of Bexar	Lock
Donald	McMurry
Dwyer	Nicholson
Files	Pevehouse
Gandy	Phillips
Gilmer	Spangler
Hanna	Vale

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 291 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—127

Allen	Huddleston
Allison	Huffman
Alsup	Hughes
Anderson	Humphrey
Avant	Hutchinson
Bailey	Isaacks
Baker	Jones
Bean	Kelly
Bell	Kennedy
Benton	Kersey
Blankenship	Kinard
Boone	King
Brawner	Klingeman
Bray	Knight
Bridgers	Lansberry
Brown	Lehman
Bruhl	Little
Bullock	Love
Bundy	Lowry
Burkett	Lucas
Carrington	Lyle
Cato	McAlister
Celaya	McCann
Chambers	McDonald
Clark	McGlasson
Cleveland	McLellan
Coker	McNamara
Connelly	Manford
Craig	Manning
Crossley	Markle
Crosthwait	Matthews
Daniel	Mills
Davis	Montgomery
Deen	Moore
Dickson of Nolan	Morgan
Dove	Morris
Duckett	Morse
Ellis	Murray
Eubank	Pace
Evans	Parker
Favors	Price
Ferguson	Rampy
Fitzgerald	Reed of Bowie
Fuchs	Reed of Dallas
Garland	Ridgeway
Goodman	Roark
Halsey	Roberts
Hardeman	Rhodes
Harris of Hill	Sallas
Hartzog	Senterfitt
Heflin	Sharpe
Helpinstill	Shell
Henderson	Simpson
Hileman	Skiles
Hobbs	Smith of Bastrop
Howington	Smith of Atascosa
Hoyo	Spacek

Stanford
Stinson
Stubbs
Taylor
Thornton
Turner
Voigt

Walters
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Burnaman	Hargis
Carlton	Leyendecker
Colson, Mrs.	Lock
Dickson of Bexar	McMurry
Donald	Nicholson
Dwyer	Pevehouse
Files	Phillips
Gandy	Spangler
Gilmer	Vale
Hanna	

Absent—Excused

Harris of Dallas	Martin
Howard	

HOUSE BILL NO. 366 ON SECOND
READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 366, A bill to be entitled "An Act amending Article 3902, Revised Civil Statutes of 1925, and all amendments thereto, by adding thereto a new subsection to be known as subsection 8; fixing the compensation of the First Assistant or Chief Deputy, and other assistants and deputies in counties of not less than twenty-four thousand, nine hundred (24,900), and not more than twenty-five thousand (25,000) inhabitants, according to the last Federal Census, and declaring an emergency."

The bill was read second time and passed to engrossment.

HOUSE BILL NO. 366 ON THIRD
READING

Mr. Bell moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 366 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Allen	Hoyo
Allison	Huddleston
Alsup	Hughes
Anderson	Humphrey
Avant	Hutchinson
Bailey	Isaacks
Baker	Jones
Bean	Kelly
Bell	Kennedy
Benton	Kersey
Blankenship	Kinard
Boone	King
Brawner	Klingeman
Bray	Knight
Bridgers	Lansberry
Brown	Lehman
Bruhl	Little
Bullock	Lock
Bundy	Love
Burkett	Lowry
Burnaman	Lucas
Carrington	Lyle
Cato	McAlister
Celaya	McCann
Chambers	McGlasson
Clark	McLellan
Cleveland	McMurry
Coker	McNamara
Colson, Mrs.	Manford
Connelly	Manning
Craig	Markle
Crossley	Matthews
Crosthwait	Mills
Daniel	Montgomery
Davis	Moore
Deen	Morgan
Dickson of Nolan	Morris
Duckett	Morse
Dwyer	Murray
Ellis	Pace
Eubank	Phillips
Evans	Price
Favors	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Roark
Garland	Roberts
Goodman	Rhodes
Halsey	Sallas
Hardeman	Senterfitt
Hargis	Sharpe
Harris of Hill	Shell
Hartzog	Simpson
Heflin	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek
Hobbs	Stanford
Howington	Stinson

Stubbs	Walters
Taylor	Wattner
Thornton	Weatherford
Turner	White
Vale	Whitesides
Voigt	Winfree

Absent

Carlton	Huffman
Dickson of Bexar	Leyendecker
Donald	McDonald
Dove	Nicholson
Gandy	Parker
Gilmer	Pevehouse
Hanna	Spangler

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 366 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—132

Allen	Daniel
Allison	Davis
Alsup	Deen
Anderson	Dickson of Nolan
Avant	Duckett
Bailey	Dwyer
Baker	Ellis
Bean	Eubank
Bell	Evans
Benton	Favors
Blankenship	Ferguson
Boone	Files
Brawner	Fitzgerald
Bray	Fuchs
Bridgers	Garland
Brown	Goodman
Bruhl	Halsey
Bullock	Hardeman
Bundy	Hargis
Burkett	Harris of Hill
Burnaman	Hartzog
Carrington	Heflin
Cato	Helpinstill
Celaya	Henderson
Chambers	Hileman
Clark	Hobbs
Cleveland	Howington
Coker	Hoyo
Colson, Mrs.	Huddleston
Connelly	Hughes
Craig	Humphrey
Crossley	Hutchinson
Crothwait	Isaacks

Jones	Pace
Kelly	Phillips
Kennedy	Price
Kersey	Rampy
Kinard	Reed of Bowie
King	Reed of Dallas
Klingeman	Ridgeway
Knight	Roark
Lansberry	Roberts
Lehman	Rhodes
Little	Sallas
Lock	Senterfitt
Love	Sharpe
Lowry	Shell
Lucas	Simpson
Lyle	Skiles
McAlister	Smith of Bastrop
McCann	Smith of Atascosa
McGlasson	Spacek
McLellan	Stanford
McMurry	Stinson
McNamara	Stubbs
Manford	Taylor
Manning	Thornton
Markle	Turner
Matthews	Vale
Mills	Voigt
Montgomery	Walters
Moore	Wattner
Morgan	Weatherford
Morris	White
Morse	Whitesides
Murray	Winfree

Absent

Carlton	Huffman
Dickson of Bexar	Leyendecker
Donald	McDonald
Dove	Nicholson
Gandy	Parker
Gilmer	Pevehouse
Hanna	Spangler

Absent—Excused

Harris of Dallas	Martin
Howard	

HOUSE BILL NO. 368 ON SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 368, A bill to be entitled "An Act providing for compensation for County Auditor in certain counties; providing mode and manner of payment of such salary; and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 368 ON THIRD READING

Mr. Bell moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 368 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Allen	Fuchs
Allison	Garland
Alsup	Goodman
Anderson	Halsey
Avant	Hardeman
Bailey	Hargis
Baker	Harris of Hill
Bean	Hartzog
Bell	Heflin
Benton	Helpinstill
Blankenship	Henderson
Boone	Hileman
Brawner	Hobbs
Bray	Howington
Bridgers	Hoyo
Brown	Huddleston
Bruhl	Hughes
Bullock	Humphrey
Bundy	Hutchinson
Burkett	Isaacks
Burnaman	Jones
Carrington	Kelly
Cato	Kennedy
Celaya	Kersey
Chambers	Kinard
Clark	King
Cleveland	Klingeman
Coker	Knight
Colson, Mrs.	Lansberry
Connelly	Lehman
Craig	Little
Crossley	Lock
Crosthwait	Love
Daniel	Lowry
Davis	Lucas
Deen	Lyle
Dickson of Nolan	McAlister
Duckett	McCann
Dwyer	McGlasson
Ellis	McLellan
Eubank	McMurry
Evans	McNamara
Favors	Manford
Ferguson	Manning
Files	Markle
Fitzgerald	Matthews

Mills	Shell
Montgomery	Simpson
Moore	Skiles
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Morse	Spacek
Murray	Stanford
Pace	Stinson
Phillips	Stubbs
Price	Taylor
Rampy	Thornton
Reed of Bowie	Turner
Reed of Dallas	Vale
Ridgeway	Voigt
Roark	Walters
Roberts	Wattner
Rhodes	Weatherford
Sallas	White
Senterfitt	Whitesides
Sharpe	Winfree

Absent

Carlton	Huffman
Dickson of Bexar	Leyendecker
Donald	McDonald
Dove	Nicholson
Gandy	Parker
Gilmer	Pevehouse
Hanna	Spangler

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 368 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—132

Allen	Burkett
Allison	Burnaman
Alsup	Carrington
Anderson	Cato
Avant	Celaya
Bailey	Chambers
Baker	Clark
Bean	Cleveland
Bell	Coker
Benton	Colson, Mrs.
Blankenship	Connelly
Boone	Craig
Brawner	Crossley
Bray	Crosthwait
Bridgers	Daniel
Brown	Davis
Bruhl	Deen
Bullock	Dickson of Nolan
Bundy	Duckett

Dwyer	McLellan
Ellis	McMurry
Eubank	McNamara
Evans	Manford
Favors	Manning
Ferguson	Markle
Files	Matthews
Fitzgerald	Mills
Fuchs	Montgomery
Garland	Moore
Goodman	Morgan
Halsey	Morse
Hardeman	Morris
Hargis	Murray
Harris of Hill	Pace
Hartzog	Phillips
Heflin	Price
Helpinstill	Rampy
Henderson	Reed of Bowie
Hileman	Reed of Dallas
Hobbs	Ridgeway
Howington	Roark
Hoyo	Roberts
Huddleston	Rhodes
Hughes	Sallas
Humphrey	Senterfitt
Hutchinson	Sharpe
Isaacks	Shell
Jones	Simpson
Kelly	Skiles
Kennedy	Smith of Bastrop
Kersey	Smith of Atascosa
Kinard	Spacek
King	Stanford
Klingeman	Stinson
Knight	Stubbs
Lansberry	Taylor
Lehman	Thornton
Little	Turner
Lock	Vale
Love	Voigt
Lowry	Walters
Lucas	Wattner
Lyle	Weatherford
McAlister	White
McCann	Whitesides
McGlasson	Winfree

Absent

Carlton	Huffman
Dickson of Bexar	Leyendecker
Donald	McDonald
Dove	Nicholson
Gandy	Parker
Gilmer	Pevehouse
Hanna	Spangler

Absent—Excused

Harris of Dallas	Martin
Howard	

HOUSE BILL NO. 369 ON SECOND READING

(By unanimous consent.)

The Speaker laid before the House on its second reading and passage to engrossment,

H. B. No. 369, A bill to be entitled "An Act fixing the salaries and traveling expenses for County Commissioners in counties of not less than twenty-four thousand, nine hundred (24,900) and not more than twenty-five thousand (25,000) inhabitants, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 369 ON THIRD READING

Mr. Bell moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 369 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132

Allen	Colson, Mrs.
Allison	Connelly
Alsup	Craig
Anderson	Crossley
Avant	Crosthwait
Bailey	Daniel
Baker	Davis
Bean	Deen
Bell	Dickson of Nolan
Benton	Duckett
Blankenship	Dwyer
Boone	Ellis
Brawner	Eubank
Bray	Evans
Bridgers	Favors
Brown	Ferguson
Bruhl	Files
Bullock	Fitzgerald
Bundy	Fuchs
Burkett	Garland
Burnaman	Goodman
Carrington	Halsey
Cato	Hardeman
Celaya	Hargis
Chambers	Harris of Hill
Clark	Hartzog
Cleveland	Heflin
Coker	Helpinstill

Henderson	Moore	Avant	Isaacks
Hileman	Morgan	Bailey	Jones
Hobbs	Morse	Baker	Kelly
Howington	Morris	Bean	Kennedy
Hoyo	Murray	Bell	Kersey
Huddleston	Pace	Benton	Kinard
Hughes	Phillips	Blankenship	King
Humphrey	Price	Boone	Klingeman
Hutchinson	Rampy	Brawner	Knight
Isaacks	Reed of Bowie	Bray	Lansberry
Jones	Reed of Dallas	Bridgers	Lehman
Kelly	Ridgeway	Brown	Little
Kennedy	Roark	Bruhl	Lock
Kersey	Roberts	Bullock	Love
Kinard	Rhodes	Bundy	Lowry
King	Sallas	Burkett	Lucas
Klingeman	Senterfitt	Burnaman	Lyle
Knight	Sharpe	Carrington	McAlister
Lansberry	Shell	Cato	McCann
Lehman	Simpson	Celaya	McGlasson
Little	Skiles	Chambers	McLellan
Lock	Smith of Bastrop	Clark	McMurry
Love	Smith of Atascosa	Cleveland	McNamara
Lowry	Spacek	Coker	Manford
Lucas	Stanford	Colson, Mrs.	Manning
Lyle	Stinson	Connelly	Markle
McAlister	Stubbs	Craig	Matthews
McCann	Taylor	Crossley	Mills
McGlasson	Thornton	Crosthwait	Montgomery
McLellan	Turner	Daniel	Moore
McMurry	Vale	Davis	Morgan
McNamara	Voigt	Deen	Morse
Manford	Walters	Dickson of Nolan	Morris
Manning	Wattner	Duckett	Murray
Markle	Weatherford	Dwyer	Pace
Matthews	White	Ellis	Phillips
Mills	Whitesides	Eubank	Price
Montgomery	Winfree	Evans	Rampy
		Favors	Reed of Bowie
		Ferguson	Reed of Dallas
		Files	Ridgeway
		Fitzgerald	Roark
		Fuchs	Roberts
		Garland	Rhodes
		Goodman	Sallas
		Halsey	Senterfitt
		Hardeman	Sharpe
		Hargis	Shell
		Harris of Hill	Simpson
		Hartzog	Skiles
		Heflin	Smith of Bastrop
		Helpinstill	Smith of Atascosa
		Henderson	Spacek
		Hileman	Stanford
		Hobbs	Stinson
		Howington	Stubbs
		Hoyo	Taylor
		Huddleston	Thornton
		Hughes	Turner
		Humphrey	Vale
		Hutchinson	Voigt

Absent

Carlton	Huffman
Dickson of Bexar	Leyendecker
Donald	McDonald
Dove	Nicholson
Gandy	Parker
Gilmer	Pevehouse
Hanna	Spangler

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 369 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—132

Allen	Alsup
Allison	Anderson

Walters
Wattner
Weatherford

White
Whitesides
Winfree

Absent

Carlton	Huffman
Dickson of Bexar	Leyendecker
Donald	McDonald
Dove	Nicholson
Gandy	Parker
Gilmer	Pevehouse
Hanna	Spangler

Absent—Excused

Harris of Dallas Martin
Howard

HOUSE BILL NO. 288 ON
SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 288, A bill to be entitled "An Act to authorize the County Commissioners of any county having a County Court at Law to appoint an official interpreter for the County Court at Law in such county; to provide for the salary of such interpreter and to prescribe his duties and providing for the oath of such interpreter."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 288 ON
THIRD READING

Mr. Bridgers moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 288 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—131

Allen	Boone
Allison	Brawner
Alsup	Bray
Anderson	Bridgers
Avant	Brown
Bailey	Bruhl
Baker	Bullock
Bell	Bundy
Benton	Burkett
Blankenship	Carrington

Cato
Celaya
Chambers
Clark
Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Crossley
Crosthwait
Daniel
Davis
Deen
Dickson of Nolan
Duckett
Dwyer
Ellis
Eubank
Evans
Favors
Ferguson
Files
Fitzgerald
Fuchs
Garland
Goodman
Halsey
Hardeman
Hargis
Harris of Hill
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Hobbs
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kennedy
Kersey
Kinard
King
Klingeman
Knight
Lansberry
Lehman
Little
Lock

Love
Lowry
Lucas
Lyle
McAlister
McCann
McGlasson
McLellan
McMurry
McNamara
Manford
Manning
Markle
Matthews
Mills
Montgomery
Moore
Morgan
Morris
Morse
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Roark
Roberts
Rhodes
Sallas
Senterfitt
Sharpe
Shell
Simpson
Skiles
Smith of Bastrop
Smith of Atascosa
Spacek
Stanford
Stinson
Stubbs
Taylor
Thornton
Turner
Vale
Voigt
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Absent

Bean	Donald
Burnaman	Dove
Carlton	Gandy
Dickson of Bexar	Gilmer

Hanna	Murray
Huffman	Nicholson
Leyendecker	Spangler
McDonald	

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 288 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—131

Allen	Garland
Allison	Goodman
Alsup	Halsey
Anderson	Hardeman
Avant	Hargis
Bailey	Harris of Hill
Baker	Hartzog
Bell	Heflin
Benton	Helpinstill
Blankenship	Henderson
Boone	Hileman
Brawner	Hobbs
Bray	Howington
Bridgers	Hoyo
Brown	Huddleston
Bruhl	Hughes
Bullock	Humphrey
Bundy	Hutchinson
Burkett	Isaacks
Carrington	Jones
Cato	Kelly
Celaya	Kennedy
Chambers	Kersey
Clark	Kinard
Cleveland	King
Coker	Klingeman
Colson, Mrs.	Knight
Connelly	Lansberry
Craig	Lehman
Crossley	Little
Crosthwait	Lock
Daniel	Love
Davis	Lowry
Deen	Lucas
Dickson of Nolan	Lyle
Duckett	McAlister
Dwyer	McCann
Ellis	McGlasson
Eubank	McLellan
Evans	McMurry
Favors	McNamara
Ferguson	Manford
Files	Manning
Fitzgerald	Markle
Fuchs	Matthews

Mills	Shell
Montgomery	Simpson
Moore	Skiles
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Morse	Spacek
Pace	Stanford
Parker	Stinson
Pevehouse	Stubbs
Phillips	Taylor
Price	Thornton
Rampy	Turner
Reed of Bowie	Vale
Reed of Dallas	Voigt
Ridgeway	Walters
Roark	Wattner
Roberts	Weatherford
Rhodes	White
Sallas	Whitesides
Senterfitt	Winfree
Sharpe	

Absent

Bean	Hanna
Burnaman	Huffman
Carlton	Leyendecker
Dickson of Bexar	McDonald
Donald	Murray
Dove	Nicholson
Gandy	Spangler
Gilmer	

Absent—Excused

Harris of Dallas	Martin
Howard	

HOUSE BILL NO. 335 ON SECOND READING

(By unanimous consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 335, A bill to be entitled "An Act to amend Article 324 of the Revised Civil Statutes of 1925, as amended by H. B. No. 222, Chapter 254, of the Acts of the Regular Session of the 41st Legislature, and further amending Chapter 137, Section 1, Acts of the Regular Session of 1931, of the 42nd Legislature, and declaring an emergency."

The bill was read second time.

Mr. Leyendecker offered the following committee amendment to the bill:

Amend the caption by adding thereto after the words "42nd Legislature" the following:

"relating to the appointment of assistant district attorneys in any judicial district in this State consisting of more than one county in which there is situated a city of not less than 34,000 nor more than 44,000 people."

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 335 was then passed to engrossment.

HOUSE BILL NO. 335 ON THIRD READING

Mr. Leyendecker moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 335 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—128

Allen	Davis
Allison	Deen
Alsup	Dickson of Nolan
Anderson	Donald
Avant	Duckett
Bailey	Dwyer
Baker	Ellis
Bean	Eubank
Bell	Evans
Benton	Ferguson
Blankenship	Files
Brawner	Fitzgerald
Bray	Fuchs
Bridgers	Garland
Brown	Halsey
Bruhl	Hargis
Bullock	Harris of Hill
Bundy	Heflin
Burkett	Helpinstill
Carrington	Henderson
Cato	Hileman
Celaya	Hobbs
Chambers	Howington
Clark	Hoyo
Coker	Huddleston
Colson, Mrs.	Hughes
Connelly	Humphrey
Craig	Hutchinson
Crossley	Isaacks
Crosthwait	Jones
Daniel	Kelly

Kennedy	Pevehouse
Kersey	Phillips
Kinard	Price
Klingeman	Rampy
Knight	Reed of Bowie
Lansberry	Reed of Dallas
Lehman	Ridgeway
Leyendecker	Roark
Little	Roberts
Love	Rhodes
Lowry	Sallas
Lucas	Senterfitt
Lyle	Sharpe
McAlister	Shell
McCann	Simpson
McDonald	Skiles
McGlasson	Smith of Bastrop
McLellan	Smith of Atascosa
McMurry	Spacek
McNamara	Stanford
Manford	Stinson
Manning	Stubbs
Markle	Taylor
Matthews	Thornton
Mills	Turner
Montgomery	Vale
Moore	Voigt
Morgan	Walters
Morris	Wattner
Morse	Weatherford
Murray	White
Pace	Whitesides
Parker	Winfree

Absent

Boone	Goodman
Burnaman	Hanna
Carlton	Hardeman
Cleveland	Hartzog
Dickson of Bexar	Huffman
Dove	King
Favors	Lock
Gandy	Nicholson
Gilmer	Spangler

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 335 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—128

Allen	Anderson
Allison	Avant
Alsup	Bailey

Baker	Lansberry
Bean	Lehman
Bell	Leyendecker
Benton	Little
Blankenship	Love
Brawner	Lowry
Bray	Lucas
Bridgers	Lyle
Brown	McAlister
Bruhl	McCann
Bullock	McDonald
Bundy	McGlasson
Burkett	McLellan
Carrington	McMurry
Cato	McNamara
Celaya	Manford
Chambers	Manning
Clark	Markle
Coker	Matthews
Colson, Mrs.	Mills
Connelly	Montgomery
Craig	Moore
Crossley	Morgan
Crosthwait	Morris
Daniel	Morse
Davis	Murray
Deen	Pace
Dickson of Nolan	Parker
Donald	Pevehouse
Duckett	Phillips
Dwyer	Price
Ellis	Rampy
Eubank	Reed of Bowie
Evans	Reed of Dallas
Ferguson	Ridgeway
Files	Roark
Fitzgerald	Roberts
Fuchs	Rhodes
Garland	Sallas
Halsey	Senterfitt
Hargis	Sharpe
Harris of Hill	Shell
Heflin	Simpson
Helpinstill	Skiles
Henderson	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Spacek
Howington	Stanford
Hoyo	Stinson
Huddleston	Stubbs
Hughes	Taylor
Humphrey	Thornton
Hutchinson	Turner
Isaacks	Vale
Jones	Voigt
Kelly	Walters
Kennedy	Wattner
Kersey	Weatherford
Kinard	White
Klingeman	Whitesides
Knight	Winfree

Absent

Boone	Goodman
Burnaman	Hanna
Carlton	Hardeman
Cleveland	Hartzog
Dickson of Bexar	Huffman
Dove	King
Favors	Lock
Gandy	Nicholson
Gilmer	Spangler

Absent—Excused

Harris of Dallas	Martin
Howard	

HOUSE BILL NO. 73 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 73, A bill to be entitled "An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended by Acts of 1935, 44th Legislature, First Called Session, Chapter 424, as amended by Acts of 1937, 45th Legislature, Chapter 60, providing that any person who drives or operates an automobile or other motor vehicle upon any public road or highway, or upon any street or alley within the limits of an incorporated city, town or village, while such person is intoxicated or in any degree under the influence of intoxicating liquors, shall be guilty of a misdemeanor, reducing the maximum penalty provided in said article from a penitentiary offense to a jail sentence, and increasing the minimum penalty thereof; and providing further that if such drunken driver shall be the cause of an accident whereby the death of another person shall be caused, he shall be guilty of a felony, and upon conviction he shall be confined in the penitentiary for not less than one year nor more than five years; and declaring an emergency."

The bill was read second time.

Mr. Isaacks offered the following committee amendment to the bill:

Amend H. B. No. 73 by striking

out all above and below the enacting clause and inserting in lieu thereof the following:

A BILL

To Be Entitled

An Act amending Article 802 of the Penal Code of Texas, as amended by Acts of the Second Called Session of the Legislature in 1923, as amended by Acts of 1935, 44th Legislature, First Called Session, Chapter 424, as amended by the Acts of 1937, 45th Legislature, Chapter 60, providing that any person who drives or operates an automobile or other motor vehicle upon any public road or highway, or upon any street or alley within the limits of an incorporated city, town or village, while such person is intoxicated or under the influence of intoxicating liquors, shall be guilty of a misdemeanor, reducing the maximum penalty provided in said Article from a penitentiary offense to a fine or jail sentence, and increasing the minimum penalty thereof, and enacting another Article to be known as Article 802 of the Penal Code of Texas; and adding a new article to be known as Article 802-a, providing that if such person while operating or driving an automobile or other motor vehicle while in an intoxicated condition shall cause the death of another person, he shall be guilty of a felony and upon conviction be confined in the penitentiary for a period of not less than one nor more than five years; and declaring an emergency.

Section 1. That Article 802 of the Penal Code of the State of Texas, as amended by Acts of the Legislature, Second Called Session in 1923, and as amended by Acts of 1935, 44th Legislature, First Called Session, Chapter 424, page 1654, and as amended by Acts of 1937, 45th Legislature, Chapter 60, page 108, shall be amended so that hereafter same shall read as follows:

"Article 802. Any person who drives or operates an automobile or any other motor vehicle upon any public road or highway in this State, or upon any street or alley or any other place within the limits of an

incorporated city, town or village, while such person is intoxicated or under the influence of intoxicating liquors, shall be guilty of a misdemeanor, and upon conviction, be confined in the County Jail for not less than ten (10) days nor more than two (2) years, or fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment."

Sec. 2. That the following additional article be and the same is enacted and shall be known as Article 802-a:

"Article 802-B. Any person who drives or operates an automobile or any other motor vehicle upon any public road or highway in this State, or upon any street or alley or any other place within the limits of an incorporated city, town or village while such person is intoxicated or under the influence of intoxicating liquors, and while so driving and operating such automobile or other motor vehicle shall, with such vehicle, strike or collide with and thereby kill or cause the death of, any person, shall be guilty of a felony and upon conviction shall be confined in a penitentiary for not less than one (1) nor more than five (5) years."

Sec. 3. The fact that the penalty for a violation of the present article is construed to mean that one guilty of driving a motor vehicle while in an intoxicated condition to make such an act a felony, and some law enforcement officers of the State have reported that it is difficult to obtain a conviction under present Article 802 because jurors believe that a conviction, even where the minimum penalty is given, adjudges the defendant a felon, and deprives him of his civil rights, and that many offenders of driving a motor vehicle while in an intoxicated condition go unpunished, creates an emergency and an imperative public necessity requiring that the Constitutional Rule providing bills to be read on three several days be suspended, and said rule is suspended, and this Act shall take effect and be in force from and after the passage hereof, and it is so enacted.

The amendment was adopted.

House Bill No. 73 was then passed to engrossment.

HOUSE BILL NO. 73 ON THIRD READING

Mr. Isaacks moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that House Bill No. 73 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—121

Allen	Hargis
Allison	Harris of Hill
Alsup	Hartzog
Anderson	Heflin
Avant	Helpinstill
Bailey	Henderson
Baker	Hileman
Benton	Hobbs
Boone	Howington
Brawner	Hoyo
Bray	Huddleston
Bridgers	Humphrey
Brown	Hutchinson
Bruhl	Isaacks
Bullock	Jones
Bundy	Kelly
Burkett	Kennedy
Burnaman	Kinard
Carrington	King
Cato	Klingeman
Celaya	Knight
Chambers	Lansberry
Clark	Lehman
Cleveland	Little
Coker	Lock
Colson, Mrs.	Love
Connelly	Lucas
Craig	Lyle
Crossley	McAlister
Crothwait	McCann
Dickson of Nolan	McDonald
Donald	McGlasson
Dove	McLellan
Duckett	McMurry
Dwyer	Manford
Ellis	Manning
Eubank	Markle
Favors	Matthews
Ferguson	Mills
Files	Montgomery
Fitzgerald	Morgan
Fuchs	Morris
Garland	Morse
Halsey	Pace
Hanna	Parker
Hardeman	Phillips

Price	Spacek
Rampy	Stanford
Reed of Bowie	Stinson
Reed of Dallas	Stubbs
Ridgeway	Taylor
Roark	Thornton
Roberts	Turner
Rhodes	Vale
Sallas	Walters
Senterfitt	Wattner
Sharpe	Weatherford
Simpson	White
Skiles	Whitesides
Smith of Bastrop	Winfree
Smith of Atascosa	

Nays—6

Daniel	Hughes
Davis	Moore
Deen	Murray

Absent

Bean	Kersey
Bell	Leyendecker
Blankenship	Lowry
Carlton	McNamara
Dickson of Bexar	Nicholson
Evans	Pevehouse
Gandy	Shell
Gilmer	Spangler
Goodman	Voigt
Huffman	

Absent—Excused

Harris of Dallas	Martin
Howard	

The Speaker then laid House Bill No. 73 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—118

Allen	Burnaman
Allison	Carrington
Alsup	Cato
Anderson	Celaya
Avant	Chambers
Bailey	Clark
Baker	Cleveland
Bean	Coker
Boone	Colson, Mrs.
Brawner	Connelly
Bray	Craig
Bridgers	Crossley
Brown	Crothwait
Bruhl	Davis
Bullock	Dickson of Nolan
Bundy	Donald
Burkett	Dove

Duckett	McMurry
Dwyer	Manford
Ellis	Manning
Eubank	Markle
Evans	Matthews
Favors	Mills
Ferguson	Montgomery
Files	Morgan
Fuchs	Morris
Goodman	Morse
Halsey	Pace
Hanna	Parker
Hardeman	Pevehouse
Hargis	Phillips
Harris of Hill	Price
Hartzog	Rampy
Heflin	Reed of Bowie
Helpinstill	Reed of Dallas
Henderson	Ridgeway
Hileman	Roark
Hoyo	Roberts
Huddleston	Rhodes
Hutchinson	Sallas
Isaacks	Senterfitt
Kelly	Shell
Kennedy	Simpson
Kersey	Skiles
Kinard	Smith of Bastrop
King	Smith of Atascosa
Klingeman	Stanford
Knight	Stinson
Lehman	Stubbs
Little	Taylor
Lock	Thornton
Love	Turner
Lucas	Vale
Lyle	Voigt
McAlister	Wattner
McCann	Weatherford
McDonald	White
McGlasson	Whitesides
McLellan	Winfree

Nays—16

Benton	Humphrey
Daniel	Jones
Deen	Lansberry
Fitzgerald	McNamara
Garland	Moore
Hobbs	Murray
Howington	Spacek
Hughes	Walters

Absent

Bell	Huffman
Blankenship	Leyendecker
Carlton	Lowry
Dickson of Bexar	Nicholson
Gandy	Sharpe
Gilmer	Spangler

Absent—Excused

Harris of Dallas Martin
Howard

Mr. Isaacks moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

RELATIVE TO CERTAIN ADJOURNMENT PERIOD

Mr. Skiles offered the following resolution:

H. C. R. No. 49, Relative to Certain Adjournment Period.

Be it resolved by the House of Representatives, the Senate concurring, That each House grant the other the right and privilege of adjourning from Thursday, February 27th, until Monday, March 3d.

The resolution was read second time and was adopted.

MESSAGE FROM THE GOVERNOR

The Speaker laid before the House and had read the following message from the Governor:

February 25th, 1941.

To the House of the Forty-seventh Legislature:

I am returning, without my approval H. B. No. 108, the intent of which is to divide one-man state jobs among two persons or three persons.

It is quite generally believed that the Senate Finance Committee and the House Appropriation Committee in the Forty-Sixth Legislature did a splendid job and fearlessly performed a great service for the State in stopping a practice which was subject to considerable abuse. It was the opinion of those Committees that the best interest of the State would be served by not dividing one-man jobs between two or three persons. I believe that it would be a reflection on their work, to reverse their rule during the short remaining period of this biennium.

I believe most everybody who has employed people for himself in conducting a successful business has

found it more economical and efficient in most cases to employ one man only on a one-man job. I think it is my duty to do everything within my power to see that the work of the State is done in the most economical and efficient manner, instead of sacrificing efficiency and economy just in order to provide part-time jobs for some people, and this on the other hand would throw heads of families out of employment who must have full time jobs in order to properly take care of their families.

Whether the Senate Finance Committee and House Appropriation Committee of this Forty-seventh Legislature wants to recommend a continuation or discontinuance of this for the next biennium is a matter for them to decide and a matter for the Forty-seventh Legislature to act upon, but I think we should at least respect the decision of the Forty-sixth Legislature for the remainder of this biennium.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

RELATIVE TO HOUSE BILL NO. 189

Mr. Manning was granted unanimous consent of the House to withdraw his name from House Bill No. 189.

ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, the following Members were authorized to sign bills as coauthors of same, as follows:

Mr. Favours: H. B. No. 490.

Mr. Bruhl: H. B. No. 73.

Mr. Daniel: H. B. No. 347.

BILL AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bill and resolution:

H. B. No. 266, "An Act amending Section 9, Chapter 14, of the Acts of the Thirty-seventh Legislature,

Special Laws of the First Called Session, Senate Bill No. 79, so as to give compensation to the members of the Board of Equalization of the Mineral Wells Independent School District; and declaring an emergency."

S. C. R. No. 18, Relative to Care, etc., of the San Jacinto Memorial Tower.

(Mr. Lucas in the Chair.)

ADJOURNMENT

On motion of Mr. Taylor, the House at 12:55 o'clock p. m. adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution as follows:

Labor: H. B. Nos. 16, 372 and 431.

Highways and Motor Traffic: H. B. No. 351.

Municipal and Private Corporations: S. B. No. 129.

School Districts: H. B. No. 445.

Contingent Expense: H. S. R. No. 127.

Judiciary and Uniform State Laws: H. B. Nos. 218 and 347.

The Committee on Judiciary and Uniform State Laws filed an adverse report with a minority favorable report on H. B. No. 213.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, February 25, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 399, A bill to be entitled "An Act authorizing eligible cities as defined herein to issue two classes of refunding bonds; providing the

methods of paying and securing such bonds; enacting other provisions relating to the subject; making this Act cumulative of other laws; providing that it shall take precedence over other laws, general or special, and all charter provisions in conflict or inconsistent herewith; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 25, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 20, A bill to be entitled "An Act providing for licensing of operators, commercial operators, and chauffeurs; defining certain terms; providing for certain exemptions; prohibiting issuance of licenses to certain persons; making it unlawful for certain persons to operate a school bus or any motor vehicle while in use as a public or common carrier of persons; providing for application for operators', commercial operators', and chauffeurs' licenses; providing for signing of application of minors and cancellation of minors' license upon application, and/or death of signatory; . . . etc.; declaring an emergency and providing the Act shall take effect from and after its passage."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, February 26, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 266, "An Act amending Section 9, Chapter 14, of the Acts of the Thirty-seventh Legislature, Special Laws of the First Called Session, Senate Bill No. 79, so as to give compensation to the members of the Board of Equalization of the Mineral Wells Independent School District; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

February 26, 1941

House Concurrent Resolution No. 43.

House Concurrent Resolution No. 48.

House Bill No. 266.

TWENTY-NINTH DAY

(Thursday, February 27, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Deen
Allen	Dickson of Bexar
Allison	Dickson of Nolan
Alsup	Donald
Anderson	Dove
Avant	Duckett
Bailey	Dwyer
Baker	Ellis
Bean	Eubank
Benton	Evans
Blankenship	Favors
Boone	Ferguson
Brawner	Files
Bray	Fitzgerald
Bridgers	Fuchs
Brown	Gandy
Bruhl	Goodman
Bullock	Halsey
Bundy	Hardeman
Burkett	Hargis
Burnaman	Harris of Dallas
Carlton	Harris of Hill
Carrington	Hartzog
Cato	Heflin
Celaya	Helpinstill
Chambers	Henderson
Clark	Hileman
Cleveland	Hobbs
Coker	Howard
Colson, Mrs.	Howington
Connelly	Hoyo
Craig	Huffman
Crossley	Hughes
Crosthwait	Humphrey
Davis	Hutchinson